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SCENES FROM A POLITICAL MARRIAGE

The Washington Monthly

DECEMBER 1980/$2

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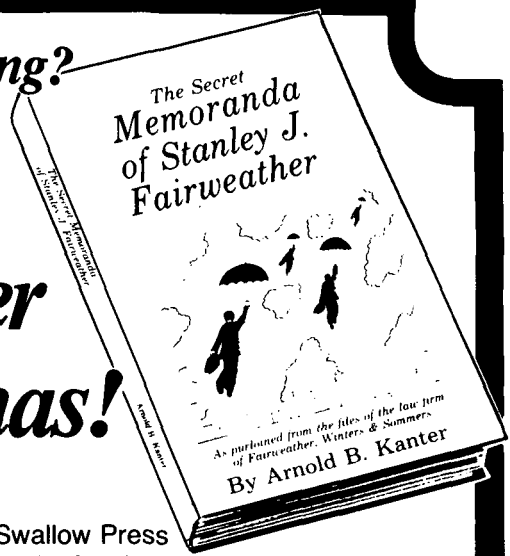

Next Spring the Ohio University/Swallow Press jointly will publish what may well be the funniest book ever written about practicing law—"The Secret Memoranda of Stanley J. Fairweather" as purloined from the files of the law firm of Fairweather, Winters & Sommers by Arnold B. Kanter.

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Letters

Energetic Responses

Your excellent special section "Psst—The Energy Crisis is Over" (by Thomas N. Bethell and Gregg Easterbrook, October) may prove to be the best catalyst we have had so far to turning our national thinking around on this all-important matter.

The sooner we can get this issue to the right people to begin the end of this disaster, the better. I'll try to get to a few.

WALLACE M. CHAMBERLAIN
Grand Rapids, Michigan

I would like to commend you on one of the most interesting and lively articles I have read about natural gas. However, there were several technical errors in your articles. These errors tend to reverse one of your two major conclusions, namely that synfuels do not make sense.

One synthetic fuels technology, coal gasification, will not be an economic boondoggle or an environmental disaster. Coal gasification produces one-tenth the air and water pollution of coal combustion. Also, while it does require 1,000 BTUs of coal to produce 750 BTUs of coal-gas, most uses of coal involve some energy losses, either through conversion or at the point of use. The preponderant use of coal in the U.S. today, coal electrification, requires 1,000 BTUs of coal to produce 330 BTUs of electricity.

Aside from your tilt against synthetic fuels and your unnecessary attack on lobbyist Bill Murphy, I want to commend you on an outrageously accurate piece of reporting. Far more gas can be had than most people realize. Is anyone listening?

BENJAMIN SCHLESINGER
Arlington, Virginia

Mr. Schlesinger is a vice-president of the American Gas Association.

In your special section on the energy crisis, Thomas N. Bethell concludes that the synfuels program is a turkey. Since I heartily agree, I would like to strengthen his argument by pointing out a faulty interpretation of the "Net Energy Principle" that detracts from his case.

As Mr. Bethell says, when you make oil or gas from coal, the product contains a lot less energy than the coal it was made from. As he himself notes, however, the energy lost in synfuel processing can be obtained from the very coal mine from which the raw material is drawn. That is *not* a "net loss to society." There is no shortage of coal.

This is, of course, not an argument for the synfuels program. Its problems of toxic by-products, large-scale pollution, and enormous demands for water and capital are disqualification enough.

HAMILTON RICHARDS, Jr.
Austin, Texas

The editors reply:

The Net Energy Principle says that ordinarily there's no point undertaking an "energy project" if you will have to put more energy into it than you take out. As our articles conceded, it may make sense to violate the principle if the energy you put in is in an especially inconvenient form, or if the energy you take out is in a badly needed form. Since *oil* is a badly needed form of energy, we said "there's something to be said for syn-oil production"—although, as Mr. Richards points out, not much.

Synthetic *gas* from coal, on the other hand, is where most of our synfuel billions are going. It is true that the energy consumed in coal gasification can be supplied by taking more coal from the same mine. But this still means a "net loss" to society. The vast amounts of coal to be used producing syn-gas could easily be turned directly into usable energy, say by being burned in a municipal power plant. And they could be turned into far *more* energy than can the amount of syn-gas they can create. Nor is artifical gas badly needed, given the abundance of natural gas.

Mr. Schlesinger uses a false comparison. The 33 percent efficiency figure he cites for turning coal into electricity applies to the burning of the finished coal at a power plant. But finished syn-gas suffers a similar loss when burned, just as any fuel does. Admittedly, syn-gas does burn better than coal, achieving perhaps 45 percent efficiency. But that marginal advantage at the power plant does not come close to making up for the net energy lost turning coal into syn-gas in the first place. By contrast, the energy required to mine and crush the equivalent number of BTUs of regular coal is negligible.

Older and Wiser

Come On! I have seen no research—and I just emerged from the Peace Corps library—that says as a general rule "older persons don't do as well as other Peace Corps volunteers," as Charles Peters contends (*Tilting at Windmills*, September).

Sure, older people are often less flexible. But for some of them, dealing with hardship, or communicating across cultural barriers, is a way of life. Their adjustments, whether to a new language or physical hardship, may be much smaller than the adjustment required of young volunteers. Indeed, in many settings our older

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Letters

volunteers have a special advantage, since age is more highly respected in Third World nations than in our own.

With early retirement, we have a growing pool of healthy, energetic individuals who are 55 or 60 or so, and who make mature decisions that they would like to share their skills, honed over a lifetime, with persons of the Third World. Our rule in screening them is the same as our rule in choosing every volunteer—we are selective.

I do not deny the "fact of human nature" that Peace Corps work is not for everyone. I just want the best 500 or 1,000 older Americans. One out of a million—is that asking too much?

RICHARD F. CELESTE
Washington, D.C.

Mr. Celeste is director of the Peace Corps.

Asian-Type Water Torture

At one point in your October issue, you characterize the response of Washington energy officials to the Iranian oil shortage as "another Chinese fire drill of pantomime panic." Isn't it about time a magazine of *Washington Monthly*'s quality and standards left behind derogatory ethnic terms, if only on the grounds that they are cliches?

BRUCE O. BOSTON
Fairfax, Virginia

More Joy

I enjoyed your story on the Senior Executive Service ("The Joy of SES" by Leonard Reed, September). But I think you were misinformed on the acronym. It stands for Socio-Economic Status, as worker bees like me, a Department of Health and Human Services official, can attest.

HAROLD WATERS
Reston, Virginia

Your article on the Senior Executive Service was sprinkled with gratuitous defamations of the men and women—citizens like yourself—who serve the federal government. You give the impression that every individual who enters federal employment becomes an enemy of the people, henceforth to labor mightily to lie and to steal from his or her fellow taxpayers.

JAMES M. PEIRCE
Washington, D.C.

Mr. Peirce is president of the National Federation of Federal Employees.

Off Tackle, Off Target

You mock Ronald Reagan for having "a unique approach to sportscasting" (*Tilting at Windmills* by Charles Peters, September) because, when he was broadcasting college football games in the 1930s, he described plays as "a hippity hop" to the right or left.

Reagan didn't create the term. "Hippity-hop play" was the prevailing nomenclature for certain football strategies in the 1930s. The phrase was widely used, even as late as 1938, at my high school.

L. T. ANDERSON
Charleston, West Virginia

Pie Throwing

Robert Reich's "Pie Slicers vs. Pie Enlargers" [September] presents a rather simplistic analysis of the decline of entrepreneurship. It is disturbing that Reich, an FTC official, places all the blame on corporate lawyers, accountants, consultants and managers, while ignoring the part played by their counterparts in the federal government. The growth in corporate use of these professionals is partly a result of the increasing complexity and contradictions of regulatory schemes.

Although Reich is correct in saying that the governments of Japan and West Germany are also large, the comparison is disingenuous. Government procedures in those nations are not adversarial, as they are here. In fact, the Japanese government encourages active cooperation between corporations in the same industry. Mr. Reich's FTC would be the first to challenge such cooperation on anti-trust grounds.

I refer Mr. Reich to David Ignatius's article "Who Killed the Steel Industry?" [*The Washington Monthly*, March 1979]. This article, unlike Reich's, examines the multitude of forces—management, labor and government—which together have contributed to the decline of American industry.

LAWRENCE E. HYATT
Silver Spring, Maryland

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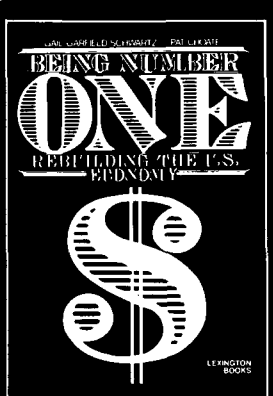

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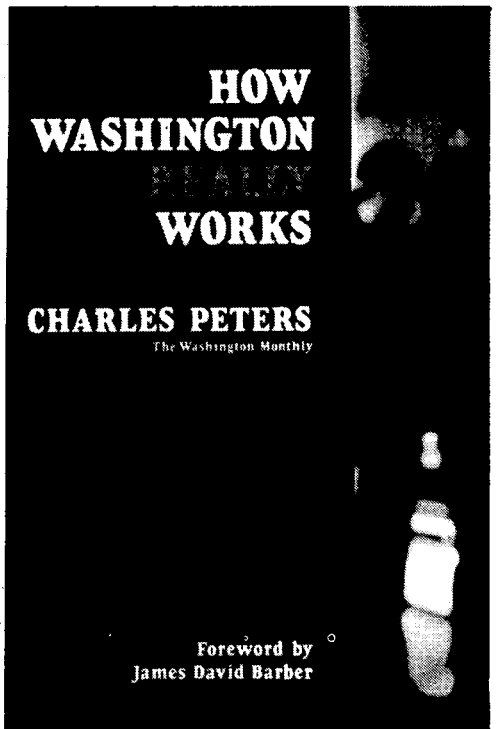

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VOLUME TWELVE NUMBER TEN
DECEMBER 1980

TILTING AT WINDMILLS 6

Abolish the 5th Amendment
by Robert M. Kaus
It protects the guilty without helping the innocent. 12

Scenes from A Political Marriage
by Jacob Javits and Rafael Steinberg
A four-rabbi marriage, standing in line for a kiss, and newspapers on the wedding night. 20

The Case Against NATO
by George Ott
Europe can afford to defend itself. 34

English, Si Spanish No.
by Gregg Easterbrook
Spanish-speaking Americans deserve help—to learn English, not Spanish. 37

Joey, Marisa, and Monsieur Kita at The Swimming Pool Summit
by Roberta Gordon
Diary of an international conference. 46

ON POLITICAL BOOKS by Nicholas Lemann 56

POLITICAL BOOKNOTES 58

LETTERS 1
MEMO OF THE MONTH 20
POLITICAL PUZZLE 53
TIDBITS & OUTRAGES 45
WHO'S WHO 55

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Tilting at windmills

I have a word of advice for the survivors, for the liberal Democrats who remain in Congress. Don't panic. You don't have to endorse the MX or join the John Birch Society. There are a lot of reasons other than ideology for the defeat of Jimmy Carter.

One I have not seen written about is that he had begun to bore his fellow Americans. And boredom, in a land of media-titillation so intense that attention spans can often be measured in seconds and almost never exceed 60 minutes, is one thing that will not be tolerated. In the last 12 years we've had four presidents and we'll add a fifth next month. Switch the channel, change the show. Enough of Jimmy and Rosalyn and Miss Lillian and Brother Billy. They seemed engaging four years ago, but now they belong with Tricia and Lynda Bird and Betty Ford. It's time for Ron and Nancy.

Of course, channel-switching isn't the whole story. Ideology did have something to do with it. But just as much as it was pro-conservative, it was anti-liberal, and I think most especially anti-conventional-liberal. Look at the Democratic senators who bit the dust. Mostly good men, but mostly unoriginal men. Their liberalism was the kind that has become enshrined in alliances like the one between the Democratic party and Big Labor. I think the people had begun to resent, for example, the fact that these senators would not consider an idea opposed by Big Labor. Common sense suggests that there are bound to be times when the humane objectives of liberalism could best be achieved by ideas that Big Labor opposes.

Take the problem of teenage underemployment, which is, as we all know, particularly acute among already disadvantaged blacks. Liberals should be determined to try any idea that has a reasonable chance of actually doing something about a problem that has been so frustratingly intractable.

So, even though Big Labor opposes it, why not try a lower minimum wage, for teenagers only, as an incentive to get employers to take a chance on them. Or do you think no incentive is needed? If so, remember how, when you were a teenager and were supposed to mow the lawn, you managed to oversleep until you were reprieved by rain, dinner, or some other excuse? Perhaps you weren't like that, but I certainly was, and so were many of my friends. It is simply unfair to expect an employer to offer such teenagers the same wages he would pay mature adults. Of course, some employers could well afford to pay the current minimum wage. And if you can figure out how to get them to pay what they can afford without asking other businessmen to pay more than they can or will pay, more power to you.

The point is for liberals to free themselves to look at possible solutions—whether in the area of employment or health care, or defense, or whatever—in terms of whether it's a good idea, regardless of whether it's liberal, conservative, or endorsed by Big Labor or Big Business. By that test the MX is still a bad idea but the lower minimum wage for teenagers seems well worth trying.

According to *The New York Times*, the Number One hit song in the Soviet Union is "When

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Moldavians Get Together."...

If it's sometimes seemed to you that my map of the United States consists of Washington, D.C., Charleston, West Virginia, and San Jose, California, it's because I live in Washington, grew up in Charleston, and have a friend who is a demon clipper of the San Jose newspapers. So let me bring you up to date on the news from all three places. In San Jose, if the robber has his hands around your throat, dial 911 and you'll get a recording giving you another number to call in order to actually reach the police. From West Virginia comes the news that Rep. Robert Mollohan has once again demonstrated that aptitude for overcoming ethical barriers that has been one of the distinguishing characteristics of the state's public servants. It seems that when he was confronted last year with a new congressional limit on outside wages—limited to 15 percent of his $60,000 salary—the Congressman's salary from Coal Constructors, Inc. was reduced from $70,000 in 1978 to $8,704 in 1979. At the same time his income from dividends—not limited by the recent reform—from the same company soared from $7,000 to $100,000.

The most significant Washington story is about the difference between life here and life in the rest of the country. It has been captured best recently by Mike Causey, who writes the Federal Diary column for *The Washington Post*, when he reflected on how the campaign messages of congressional candidates in the Washington area, where federal employees are of course the largest voting bloc, would go over elsewhere in the nation:

"Can you imagine telling a crowd of unemployed auto workers in Detroit that $50,000-a-year U.S. executives are underpaid? Or that a 9.1-percent raise is an insult?

"Can you imagine escaping (without a tar and feather suit) from the Houston Kiwanis Club if you said that contracting out government work to the private sector is wasteful and a leading cause of unemployment?

"Would you dare tell the Grange in Olaf, Kansas, that civil service reform ought to be repealed because it makes it easier to fire federal workers, or that merit pay for government supervisors is dangerous?"...

One reason for the success of Federal Express is obvious. The Postal Service cannot deliver the mail promptly, so if you have to get something there tomorrow, you have to use Federal Express. Another not-so-obvious reason is the irresistable lure presented by the possibility for procrastination. If something can be put off until tomorrow, most of us will put it off until tomorrow. Everything we once had to get done by last Friday, if we wanted to be sure it was delivered in the regular mail, can now be postponed until tomorrow because of the existence of Federal Express.

There are some other, more important reasons for the success of Federal Express. Its employees are reliable, courteous, and customer-conscious. They never screw up, they are always polite, they are prompt, and in general, dealing with them is a pleasure. They are so efficient in part because their drivers are paid well, but only if they perform....

Have you been wondering what will be the next minority group we'll be told to be concerned about? Well, *The Washington Post* had an op-ed piece a few weeks ago that said, "For too long we have not cared about the child whose parents are affluent"....

The Third World is moving up. Recently, the Grenada mission to the Organization of American States issued an appeal for aid from abroad to help Grenadan children. Gone were the old stories about grinding poverty, malnutrition, and disease. Instead, the Grenadan officials painted this bleak picture:

"In 1979 there were nearly 15,000 children in Grenada under the age of five. At the same time, there were only 11 child-care centers. This means the vast majority of the nation's pre-school children were being cared for at home, some by mothers forced to stay home and thereby abandoning employment opportunities. Others received care from loving but untrained grandparents."

Being cared for at home! By mothers! Or by untrained grandparents! Well, it does beat being affluent....

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In the annals of white-collar crime, there may be an equal to George C. Warner, but I doubt it. Warner is the official in the Agency for International Development who has been charged with taking $138,000 in kickbacks from the suppliers of food for Cambodian refugees. Most white-collar criminals defend themselves on the basis that the money they steal would otherwise just go to rich stockholders, or other corporate crooks like themselves. In this case, the money was to buy food for the starving.... After Rep. Robert Bauman revealed that he is an alcoholic, buys sex from 16-year-old boys, and generally enjoys a good time, there was a period of about two weeks of frenzied coverage of his disclosures and their effect on his status as a leader of the "family values" movement. Then, for about another two weeks, stories started cropping up in the local papers (and on the local newsradio station) like "Bauman Calls for Strong Defense" and "Bauman Assails Inflation." Why? Because reporters following him around in hopes of some further revelation, say, that he likes to torture cats while dressed in a negligee, felt compelled to file stories. So Bauman's routine promise-them-anything speeches to the Elks got elevated to the status of news events.... Stop those complaints about the slowness and delays of our judicial system. On October 22, 1980, UPI reported from Rome: "The Vatican said today that it was reviewing the 347-year-old heresy conviction of Galileo...."

Remember my honor roll of headlines that could run any day of any year—ones like "Corruption Alleged in New Jersey" or "Italian Government Falls" or "Teamsters Aide Indicted"? Recently *The Washington Post*'s "Style" section came up with another candidate: "Dick Gregory's Odyssey from Comic to Activist." If this does not quite qualify as timeless, it is distinguished for having been in steady service for more than 15 years.... In October's "How to Keep the Energy Crisis Going," Thomas N. Bethell described the first major synfuels plant, to be built in North Dakota by American Natural Resources. ANR had received a $250-million subsidy from Washington, on the pretext that the money would cause private investors to line up to supply the rest of the $1.4 billion required. Bethell called this "a star-spangled hoax," and predicted that the company, despite public promises to President Carter, would eventually call on the taxpayer for the entire sum. Last month, ANR did precisely that....

The tendency of regulatory boards to favor the regulated group is well-known and is particularly marked in the case of the state boards that regulate professions. My favorite is the Virginia Board of Hairdressers, which requires those seeking to break into the guild to take 2,000 hours of training before they can receive a license. At the time the requirement was established, according to *The Washington Post*'s Glenn Frankel, a majority of the board's members owned hairdressing schools.... The concern expressed elsewhere in this issue (see page 34) about the money we spend on NATO is a long-standing one. Our first article on the subject, published in 1970, said, "The U.S. is bearing an unfair and staggering burden in the defense of Europe. If the European nations are not getting a free ride, they are at the very least traveling at an absurdly low fare." The writer was Charles Percy, who will soon, as chairman of the Senate Foreign Relations Committee, be in a position to do something about it.... If you agree with our concern about NATO, you may also share our concern that three fourths of the State Department's overseas budget is spent in Europe. Maybe that's why we can't afford to have any Russian speakers at our embassy in Afghanistan, even though the country has been occupied by the Russians for almost a year. It occurs to me that the real reason that Russian soldier who recently defected to the embassy later changed his mind was that he probably got tired of using sign language....

More heartening news from our public schools. A task force report criticized the Prince Georges County,

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Maryland, school system for hiring teachers on the basis of their education credentials instead of their competence, complaining that the county administers only a "one-hour test in spelling, grammar, and mathematics for prospective new teachers." But the system was able to reply that Prince Georges is the only county in Maryland and "one of the few in the nation," according to *The Washington Star*'s Donald Hirzel, that requires any test at all....

Recent research by scholars from Purdue, Colorado State, and the universities of Wisconsin and Manitoba indicates that violent pornography inspires violence. Like the findings of most research in behavioral science, this strikes me as just about as surprising as the news that hungry men want to eat. Still, it reinforces my belief that we ought to keep the "entertainment" of violent pornography off television. This kind of censorship does not bother me in the least, and I am astonished by the legal minds who cannot distinguish between it and the censorship of political discussion, which should never occur....

I am similarly astounded by the aptitude for making distinctions displayed by the federal prosecutors who chose to indict the FBI officials who were slightly naughty in their pursuit of the violent Weathermen, while doing nothing to punish the guilty officials who carried out Cointelpro, the vicious FBI plot to harrass non-violent dissidents....

The American legal system's failure to distinguish violent and non-violent crime is a triumph of the liberal mind at its very worst. In most jurisdictions the man who picks your pocket is no less likely to go to jail—or to get off scot free—than the man who will kill or assault you. Need another example? A Maryland judge, after hearing four women tell of being tortured by a rapist, gave the guilty man a sentence that would have protected society from his favors for many years, until he was past the point of wanting to rape anyone. But the law requires that before going to prison, the rapist be referred to a mental hospital for "psychiatric evaluation." There the psychiatrist has the power to commit him—or release him at any time....

This is the kind of "justice" that has everyone buying extra locks for their doors. According to a survey reported in *The New York Times*, four out of every ten Americans "feel unsafe in their everyday environments." What are the police doing about this? Sometimes they are ham-strung by liberal judges, or the kind of prosecutors who insist on going after the FBI agents who went after the Weathermen. But sometimes they are part of the problem. In Arlington County, Virginia, for example, police recently arrested a woman for eating a sandwich on a subway train. They strip-searched her, and imprisoned her for 31 hours.

Liberals are right to be outraged by this sort of conduct. The problem, of course, is that all too often they transfer this just outrage into symapthy with all defendants, antipathy toward all cops. But substitute a violent crime for "eating a sandwich on a subway train," and the strip-search begins to look like a reasonable step for any policeman with a prudent regard for his own safety.... A similar failure of liberals to distinguish among defendants—this time between the innocent and the guilty—lies behind their traditional support for the Fifth Amendment, as Robert M. Kaus argues on page 12. If we are going to clamp down on the bad cops who conduct gratuitous strip-searches, we owe it to the good cops to remove the gratuitous obstacles, like the Fifth Amendment, that prevent them from doing the job we need them to do....

I have less sympathy for the bureaucrats who man our criminal justice system. Again, Arlington may be our model. Eloise Paananen, a Virginia writer, recently got a traffic ticket there. She wasn't strip-searched, she was simply given the option of appearing in court or mailing in the fine. But whether she appeared or not, she was told she had to pay $18 in court costs....

The Research Institute of America, Inc. offers, for $36 a year, to tell you how to cut your annual taxes in half by rechannelling income through family members. "You can use this 'ultimate' tax shelter without complicated formalities and without losing control of your

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money," reads the brochure, offering information on, among other things, "Hiring your own youngsters for a *triple tax break*—without paying any Social Security or unemployment taxes, and without giving up dependency deductions." If you subscribe now, you also get a bonus report on Tax-Wise Handling of Expense Accounts, which offers tips on: "Earning 100 percent deductions for Business-pleasure trips," "When are 'lavish or extravagant' expenses 'reasonable,' therefore deductible?", when "Names of business guests do *not* have to be stated," and "Deductions that can *still* be estimated, without records." It seems to me that either the officers and employees of the Research Institute of America belong in jail or the tax laws should be changed....

I believe *The Washington Monthly*'s neighborhood—it's called Adams-Morgan—may have the nation's most elegant graffiti. My favorite, scrawled in spray paint on the wall of a nearby bank, is "Paul Volcker Sux." Evidence to support this allegation comes from *The Wall Street Journal*, which in a recent issue reported, "More than 5,500 companies, mostly small, have failed in this recession"—a recession in large part caused by Mr. Volcker's high interest rates. The effect of those small business failures on employment is suggested by an MIT study on "The Job Generation Process," which found that during the period 1969-1976, small firms with 70 or fewer employees generated 66 percent of all new jobs in the United States....

Speaking of small business, a few weeks ago I talked with a member of the staff of one of the congressional committees responsible for legislation affecting small business. My friend's main complaint was that the committee couldn't trust the groups it dealt with: the Small Business Administration because of its high level of incompetence, or the small business lobbies because they represent only the upper end of the scale (the businesses that are making enough profit to be able to pay for lobbyists). These lobbyists advocate aid to business based on income tax credits and deductions. But such credits and deductions do absolutely nothing to help the small business that is just barely making it, because it has no net income from which to deduct, and pays no tax on which to take a credit. These struggling enterprises are, on the other hand, in mortal danger from the government-mandated costs they incur, regardless of whether they have any profit with which to pay them—Social Security, workmen's compensation, unemployment compensation, and the gross receipts taxes extracted by many states and municipalities....

Pat Caddell, the Carter pollster, was eager to help reporters election night. He wanted to explain that he hadn't been wrong—that his polling had picked up the switch to Reagan on Sunday and Monday and that Carter had been told on election eve. After all Caddell needs some new clients now. As to the main reason for Carter's defeat, Caddell may regret an earlier interview he gave to *The Washington Post*'s David Broder. This one came right after the debate:

"The president 'didn't do everything I wanted him to do,' said pollster Patrick Caddell, 'but he did 75 percent of it.'

"Caddell said that Carter's message was aimed at specific constituencies in the debate audience—particularly 'college-educated, Democratic-inclined women, who are unhappy about the economic squeeze of the past four years but nervous about Reagan's views on war and women's rights.'"

It was this aim at specific constituencies—you could almost see Carter ticking them off in his mind—that I thought was the worst thing he did in the debate. And it is the worst thing about liberals and Democrats today. They practice the politics of selfishness, appealing to various groups in ways that emphasize self-interest. They left the vision to Ronald Reagan. I don't think they'll win again until they stop appealing to selfishness and once again reach out to the best that is, and always has been, in our people. Remember that when Woodrow Wilson was criticized for being an idealist, he replied, "That's how I know I am an American."

—*Charles Peters*

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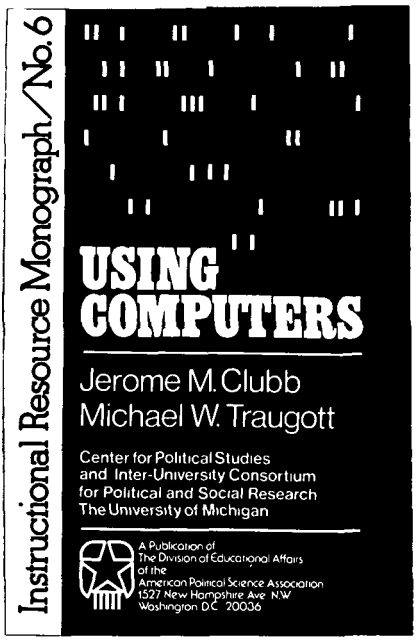

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Abolish The 5th Amendment

It protects the guilty, without helping the innocent

by Robert M. Kaus

For five years, starting in 1973, women in Berkeley, California, were raped by a man smelling strongly of petroleum. There were few other clues to the identity of the criminal, since he was careful to blindfold his victims before raping them. But, all told, 62 of the rapes committed in Berkeley seemed to fit his pattern. Usually he chose women who lived alone, breaking into their homes and staying from one to four hours. Police say the details of the kind of sex acts the rapist made his victims perform, and the things he said to them while doing this, also fit a pattern, but the police are reluctant to discuss the details. The victims saw and heard only enough of their attacker to determine that he was black.

In 1978 a man named Walter Taylor walked into the Berkeley police station and offered to help find the rapist—Taylor had, in fact, written the police a letter containing his suggestions. The police, who were under intense community pressure to capture the criminal, at first dismissed Taylor as a kook. But as they pored once again over the clues, they began to pay him more attention, because they came to believe that Taylor himself was the man they were looking for. Taylor's name had been one of the hundreds on the computerized lists they had drawn up of possible suspects, and there was evidence that he had known some of the victims. A car like Taylor's had been seen in the vicinity of one of the rapes.

More significant, this wasn't the first time Taylor had volunteered to help the police. He had done so once before, in 1967, in connection with a series of burglaries for which he was subsequently convicted and sentenced to San Quentin.

Robert M. Kaus is an editor of The Washington Monthly.

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While at San Quentin, Taylor had indicated to his prison psychiatirst that he had broken into the houses, not to steal, but for sexual purposes. However, he had a physical defect that prevented normal sexual intercourse. In prison, Taylor was given an operation to cure the defect, and in 1973 he was paroled. Soon thereafter the Berkeley rapes had begun.

In October 1978, the Berkeley police arrested Taylor. They also filed a 144-page affidavit in court, listing the reasons they had for suspecting him, and they got a warrant to search Taylor's home. There they found evidence that linked Taylor to more of the victims, and that showed where he might have met others. They also learned, by analyzing samples of Taylor's hair and blood, that he belonged to the same six percent of the black male population as the rapist.

And there, the investigation ground to a halt. The police had enough evidence to arrest Taylor. They had enough evidence to convince themselves that Taylor was the rapist. But they did not have enough evidence to enable the district attorney to prove it "beyond a reasonable doubt."

There was one additional source of information—an eyewitness, in fact, who could tell them for sure whether Taylor was guilty. But he was also the one person they couldn't ask. Why? Because from the moment of the arrest, he had refused to discuss the case. If the police or the D.A. had tried to question him, they would have run into a brick wall.

The witness, of course, was Taylor himself. The brick wall was the Fifth Amendment.

Not Torture

Literally, the Fifth Amendment (or, more precisely, the "self-incrimination clause" of the Fifth Amendment) says that "no person...shall be compelled in any criminal case to be a witness against himself." The word "compelled" makes us think of torture—and, indeed, opposition to torture was one of the original reasons for the Fifth Amendment's rule. But what the Amendment means today, in cases like Taylor's, has very little to do with torture. Instead, it means that, once he said he wanted to remain silent, the police couldn't ask Taylor any questions about the rapes, even if they asked them in a straightforward manner, without any hint of intimidation. More important, it meant that Taylor could refuse to take the witness stand if he were put on trial, and the district attorney couldn't comment to a jury on the possible reasons he had chosen to stay silent rather than explain his innocence.

Suppose you were suddenly arrested by the police and accused of 62 rapes. Would you stay silent? Of course not. You would clearly and emphatically tell the police they were wrong, and offer whatever evidence you had that would confirm your story. There is an exception to this normal response, of course—one situation in which you would cling to the Fifth Amendment like a life preserver. That is if you were guilty.

This logic is inescapable, and it is the main problem with the Fifth Amendment. Other parts of the Bill of Rights—concerning free speech, freedom from unreasonable searches, the right to a jury trial, to name a few—are clearly designed to protect all citizens, guilty or innocent. But "the Fifth," almost by definition, protects only the guilty.

Without the Fifth Amendment, the Walter Taylor case could probably have been unraveled by the simple, sensible step of calling him to the witness stand, like any other citizen called to testify at a criminal trial. If he admitted the crimes, he would be convicted. If he maintained his innocence, and his story created a "reasonable doubt" in the jury's mind, he would go free—though later, if it turned out he had been lying, he could be prosecuted for perjury. If Taylor refused to answer, even on the witness stand, the jury could take his silence for what it would, in fact, be—a powerful piece of evidence pointing toward his guilt.

We'll never know how Taylor would have answered questions about the rapes, because no one was allowed to ask them. Instead, with no other source of evidence, the district attorney concluded he didn't have enough to convict Taylor. After four days in custody, Taylor was freed. The Berkeley police, still convinced that Taylor was the rapist, closed their investigation. A spokesman for the police says they do not know where Taylor is today, having long ago abandoned attempts to keep track of him. If any new evidence does happen to turn up, it will have to do so quickly; the statute of limitation for the rapes will expire on January 14.

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Madison's Mistake

The costs of the Fifth Amendment—in terms of criminals who belong in jail but use it to escape—are so obvious that we might expect the reasons *for* the Amendment to be even more obvious. Unfortunately, when you begin looking for those reasons, things start to get very muddy very quickly. About the only thing lawyers seem sure of (because they are always saying it) is that the Amendment "is a specific provision of which it is peculiarly true that 'a page of history is worth a volume of logic.'" So let's start with a bit of history.

The Fifth Amendment was cobbled up in 1789 by James Madison from similar provisions in state constitutions, and it passed during the first United States Congress with virtually no debate. As a result, we don't know much about what the Founding Fathers themselves thought they were doing. But it traditionally is pointed out that the rule against self-incrimination originally grew out of the unpleasant practices of the ecclesiastical courts in early seventeenth-century England—particularly the infamous Star Chamber. Three aspects of the Star Chamber's method of operation are generally cited as especially repugnant. First, rather than accuse people of specific crimes and then bring them to trial, it frequently summoned citizens and asked them to confess to whatever crimes they happen to have committed—sort of a "What have you done wrong lately?" approach. Second, the criminals it prosecuted tended to be religious heretics and political dissidents, and the "crimes" to which they were expected to confess were crimes of belief, conscience, and association. Third, if they didn't confess, they were often tortured until they did.

In 1637, a particulary persistent heretic named "Freeborn John" Lilburne was summoned before the Star Chamber on the suspicion of importing seditious books. He was asked to swear an oath to answer all questions honestly. Oaths were taken seriously in those days, since they carried religious as well as secular implications, and Lilburne refused, for which he was whipped and pilloried. But he then petitioned Parliament, which overturned his sentence and awarded him £3,000 in reparations. Lilburne's opposition to taking the oath had struck a popular chord, and from then on the rule against self-incrimination seems to have been a fixed part of our legal heritage.

That's enough history. The problem, as you might suspect, is with the logic. Because the Fifth Amendment isn't, and wasn't, in any way necessary to outlaw the Star Chamber abuses it is said to protect us against. If we want to ban torture—as surely we do—then we need a provision that bans torture, and perhaps sets severe penalties for any government official caught in the act. To prevent government probes into our political and religious associations, we need an amendment banning that—as the First Amendment, we may hope, already does. Another Amendment (the Sixth) already takes care of the right of a defendant to know the specific charges against him and to confront his accusers.

The Fifth Amendment goes beyond these rights and creates a far more dubious privilege: a right of ordinary criminals to conceal their crimes. The Amendment is used most frequently in cases like Walter Taylor's, where it prevents a suspect from being asked in a civilized manner to tell about his actions, in a courtroom in which he will be afforded every other procedural protection known to the Anglo-Saxon legal mind. Can you find a Star Chamber in that picture? The accused is not being persecuted for his beliefs. He is not threatened with torture. He knows the charges against him. He is, in short, no John Lilburne, and there seems no obvious reason why he shouldn't testify like anyone else.

This realization has set lawyers scrambling to find other rationales that might justify the Amendment. One theory that was in fashion at the Supreme Court during the late 1950s held that "the

Many of our difficulties in solving today's problems can be blamed, not on the acts of government officials and legislators, but on major flaws in our Constitution itself. Some of those flaws are the result of historical and economic changes since 1789, some were introduced by judges interpreting the Founding Fathers' language, and some were simply dumb ideas to begin with. This article is part of a continuing series on what those constitutional defects are, and how we might correct them.

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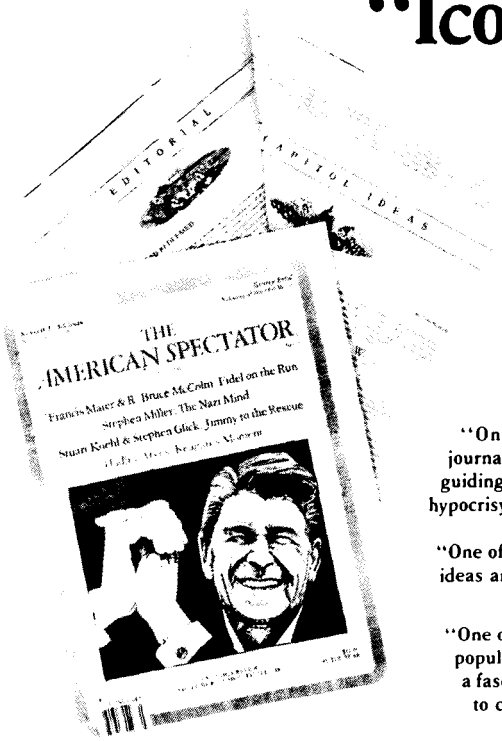

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privilege, while sometimes a shelter to the guilty, is often a protection to the innocent." The problem with this statement was that it is false. Law professors, racking their brains, have come up with only two basic "hypothetical situations" in which someone who is guilty of no crime nevertheless has a reason to hide behind the Fifth. First, they tell us, he may fear that his testimony will somehow lead to his unjust conviction—either because a bullying prosecutor will force him into trivial-yet-embarrassing contradictions, or because his testimony will fuel some sort of legalized lynching. But the professors have never explained why the solution to this first problem isn't simply to clamp down on overaggressive prosecutors, flimsy convictions, and biased juries. In the second "hypothetical," our hero takes the Fifth to hide some conduct that was merely disgraceful, rather than criminal (classically, he "was in the arms of his best friend's wife")—to which the obvious response is that it's his own rotten luck if he has to reveal his own disreputable conduct.

In the daily grind of the criminal justice system, both these hypotheticals are 10,000-to-one shots. The Amendment is much more likely to *harm* the innocent, when a guiltless suspect is unable to clear himself because the real culprit hides behind the Fifth.

The "protect the innocent" theory is so out of touch with reality that even the Supreme Court abandoned it, announcing in 1966 a second theory: "The basic purposes behind the privilege against self-incrimination do not relate to protecting the innocent," said Justice Stewart, "but rather to preserving the integrity of a judicial system in which even the guilty are not to be convicted unless the prosecution 'shoulder the entire load.' " According to Justice Fortas, the Amendment insured that a trial would be an occasion of "equals meeting in battle."

These are the sort of statements judges could never get away with if they were required to hold press conferences where follow-up questions were allowed. *Why* must the prosecution "shoulder the entire load?" A criminal trial isn't a horse race in which we require that one contestant carry more weight to make him prove his mettle, or a basketball game where we even up the sides beforehand to produce a close outcome. It is an attempt to determine the truth and punish the guilty. Many of its rules (the "reasonable doubt" rule, for one) make life harder for the prosecutor, but we have those rules to prevent an *innocent* man being convicted. If a defendant is *guilty*—and remember, that's what the Court is assuming here—what possible reason is there for making the prosecutor's job harder than necessary? Conservatives often accuse civil-libertarians of indiscriminately rooting for the defendant even if he is guilty; this looks like one case where they are right.

What little the Justices have written in defense of this theory consists of abstract revelations that might embarrass Timothy Leary. According to Fortas, the Fifth Amendment "reflects the limits of the individual's attornment to the state and in a philosophical sense insists upon the equality of the individual and the state." Justice Douglas, elaborating on the "psychological insight" embodied in the rule, noted that it is designed "to ensure the total victory of the Life Instinct over its omnipresent antagonist."

There are two other theories that have been offered up for the Amendment. One recent favorite says it is necessary to preserve "the right of each individual to a private enclave where he may lead a private life." The idea seems to be that the state is rudely prying into an individual's affairs when it makes him take the stand to answer questions. But if this is true, why not allow *all* witnesses to refuse to testify, instead of only those whose testimony "would tend to incriminate them?" Is it more of an invasion of privacy to ask a suspected bank robber about his affairs than it is to ask an innocent customer who happened to be standing in the bank when it was robbed? As a guarantee of privacy, the Fifth Amendment is doubly perverse: it protects only the privacy of those (e.g. criminals) who least deserve it, and it protects most strongly the information (e.g. incriminating information) that is most needed by the courts if they are to do their job.

Eventually, when all else fails, lawyers will fall back on their final argument, which evokes the sheer human cruelty of putting a Walter Taylor on the witness stand and asking him for his side of the story. The courts call this "our unwillingness to subject those suspected of a crime to the cruel trilemma of self-accusation, perjury, [or punishment for refusing to answer]." Since we are assuming that the witness is not going to be tortured, the Justices will concede that the cruelty they

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are talking about is "intangible, it is true; but so is liberty, and so is man's immortal soul."

This "intangible" argument at least has the virtue of honesty, since it admits that those who make use of the Fifth Amendment are in fact guilty. (Otherwise there would be no "cruel trilemma"—they could escape by simply telling the truth.) What it says, in effect, is that a guilty man asked to testify is placed between a rock and a hard place. So he is. But isn't this exactly where we want him? He has, by hypothesis, done something criminal, and if this gets him tangled up with the law—well, isn't that what is supposed to happen? Why should the Constitution reach down and extricate him from the trap he has gotten himself into?

Because It's There

When judges begin babbling about "man's immortal soul," they are getting desperate. It's a feeling familiar to the first-year law students who are asked in class to state the reasons for the Fifth Amendment, and who suddenly realize there aren't any. But most students quickly learn to stop worrying and accept the Amendment, perhaps sensing that it is one of the many mysteries of the law they can turn to profit later on. Soon they are writing briefs suggesting innovative applications of Madison's language. Occasionally, a distinguished scholar will tactfully suggest, as Professor Edmund Morgan did in 1942, that "the extent to which the privilege against self-incrimination should be continued is worth extended study by thoughtful men." But these rallying cries have somehow failed to stir the populace.

The McCarthy years, of course, helped cement the Fifth Amendment more securely in place. A handy device for resisting red-hunting congressional committees, it quickly became part of the intellectual baggage that liberals were expected to carry as a badge of conscience. Respectable conservative lawyers also felt compelled to defend it against right-wing critics, although the most respectable of those lawyers, former Harvard Law School dean Erwin Griswold, later recanted, pointing out what should have been obvious all along: there is a world of difference between opposing a McCarthy-esque attack on "those who are guilty only of heretical and unpopular beliefs" and endorsing the role of the Amendment in a murder case.

The courts, unfortunately, have not been so discriminating. Instead, successive generations of judges have embraced the Amendment with an enthusiasm matched only by their ingenuity in extending it beyond what its authors could have imagined. For example, one cautious Founding Father had inserted into the Amendment words limiting its application to a "criminal case." But by 1920 it was being applied in non-criminal cases anyway. A constitutional right, after all, must be "effective," and it wouldn't do a citizen much good to hide his guilt from a prosecutor only to have it revealed in some petty private lawsuit, would it?

Later, the Supreme Court decided that any government action that makes the use of the Fifth Amendment "costly" is unconstitutional. In 1967, a New York lawyer refused to disclose his business records in court on the grounds that they would tend to incriminate him. Those ignorant of the subtleties of the Amendment might have been suspicious, if not outraged—think, for example, how you would have felt if Richard Nixon had made the same argument to Judge Sirica when refusing to hand over the Watergate tapes. The Supreme Court, however, ruled that the lawyer could not be disbarred. "The Fifth Amendment," intoned Justice Douglas, "should not be watered down by imposing the dishonor of disbarment and the deprivation of a livelihood as a price for asserting it."

But the most important application of the Fifth Amendment has been to criminal confessions. You would expect judges to treat voluntary confessions as something to be desired for both moral and pragmatic reasons. And that was generally the impression the courts gave for the first half of this century. Confessions to the police were judged by a simple standard: If a confession were coerced, by physical or mental torture, bribery, etc., the prosecution couldn't use it at a trial. Otherwise, the confession would be admitted into evidence, and it was up to the defendant to explain it away.

But, reading through the Court's more recent pronouncements, you feel as if you had wandered into a house of mirrors, in which morality has been turned upside down and the guilty transposed with the innocent. Even when there is no hint of coercion, we find the Court scolding the

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police for "deliberately and designedly setting out to elicit information" from a murder suspect. When the killer foolishly but freely admits his guilt, the Court—instead of breathing a sigh of relief—can be seen wringing its hands at the "skillful and effective" questioning by the police.

Here, for example is a speech, taken from a police handbook, that the Court cited in its famous 1966 *Miranda* decision as the sort of interrogation that "exacts a heavy toll on individual liberty":

"Joe, you have a right to remain silent. That's your privilege and I'm the last person in the world who'll try to take it away from you. If that's the way you want to leave this, O.K. But let me ask you this. Suppose you were in my shoes and I were in yours and you called me in to ask me about this and I told you, 'I don't want to answer any of your questions.' You'd think I had something to hide, and you'd probably be right in thinking that. That's exactly what I'll have to think about you, and so will everybody else. So let's sit here and talk this whole thing over."

No one would mistake this for a passage from *Darkness at Noon*. Can you see anything wrong with it at all? I can't. It is brief, honest, logical, and humane. Apparently, it also worked, which is what seemed to bother the Justices. "Few will persist in their initial refusal to talk," Chief Justice Warren noted ominously, "if this monologue is employed correctly."

As a result, in *Miranda* the Fifth Amendment became the basis for a ruling that required the police to warn anyone they arrested that he had "the right to remain silent." From then on, confessions could not be used in court unless the police could prove, not that the suspect's statements were voluntary, but that he had first "knowingly and intelligently" given up his right to keep silent. The "right," and not the confession, became the focus of concern, and perfectly spontaneous admissions of guilt were thrown out because police had failed to give the ritual *Miranda* warnings.

Since no right could be intelligently exercised by a criminal suspect unless he had the advice of a lawyer, the "right to the presence of an attorney" was also made part of the required *Miranda* speech. If the suspect took the hint, and asked to see an attorney before answering any questions, the police were to stop asking them.

It wasn't hard to predict what the attorney would do when he arrived at the police station—and it wouldn't be simply to advise the suspect of his options and help him present a defense if he chose to do so. Instead, the lawyer would throw up whatever obstacles he could to prevent the police from solving the crime at his client's expense. As one Supreme Court Justice put it back in 1949, "Any lawyer worth his salt will tell the suspect in no uncertain terms to make no statement to the police under any circumstances." Especially, he might have added, if the lawyer senses his client is guilty.

Inevitably, the "right to the presence of a lawyer" itself became something else that had to be "intelligently" surrendered before the police could take down a confession or incriminating statement for later use in court.

By now, judges have created a web of procedures that even they have trouble figuring out, but that seem to have as their hidden purpose the maximizing of the number of times when the Fifth Amendment will be employed by the guilty to frustrate the police. When a suspect is on the verge of confessing, the police must warn him not to. At all times, he is to be whisked as quickly as possible under the protective wing of a lawyer who will try to prevent him from opening his mouth. Finally, the police may not (heaven forbid) make an "appeal to [his] conscience" if he appears "peculiarly susceptible" to one. Such an appeal is a Fifth Amendment no-no, the Supreme Court ruled last May, because it is "reasonably likely to elicit an incriminating response"—in other words, because it might work.

Try *This* One

But these attitudes came together most vividly three years ago, when the Supreme Court heard the appeal of an Iowa man named Robert Williams. It's worth retelling the facts of the case, because they help to restore some perspective to the house of mirrors.

The story begins on Christmas Eve, 1968, when a 10-year-old named Pamela Powers visited the Des Moines YMCA to watch a wrestling tournament in which her brother was competing. She made a trip to the washroom, and did not return. Shortly thereafter, Williams, an escaped mental patient, was seen carrying a large bundle across the YMCA lobby. He placed the

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bundle in the front seat of his car, and a boy who had helped him open the car door saw two legs inside that were "skinny and white." Williams's abandoned car was found on Christmas Day, 160 miles away in Davenport, Iowa.

On December 26, Williams telephoned an attorney, and decided to surrender to the Davenport police. The police read him his *Miranda* warnings. Over the phone, the attorney told Williams not to talk to the police until Williams had talked with the attorney back in Des Moines. Williams's lawyer then struck a deal with the police by which they agreed not to "question" Williams during the drive from Davenport to Des Moines.

At the beginning of the drive, however, Williams started a "wide-ranging conversation covering a variety of topics, including religion," with one of the detectives in the car. Since the kidnapping had occurred only two days earlier, there was still some hope that the Powers girl was alive—although the weather outside was freezing and sleeting. The detective, hoping, he later said, "to find out where that little girl was," made a brief "speech" to Williams. "I want to give you something to think about while we're traveling down the road," the detective began. "They are predicting several inches of snow tonight, and I feel that you yourself are the only person that knows where this little girl's body is... and if you get a snow on top of it you yourself may be unable to find it... I feel that we could stop and locate the body, that the parents of this little girl should be entitled to a Christian burial for the little girl who was snatched away from them on Christmas Eve." The detective added, "I do not want you to answer me, I don't want to discuss it any further. Just think about it as we're riding down the road."

Williams repeated several times that he would tell the police the entire story when they got to Des Moines. But over an hour later, still 100 miles away, Williams asked whether the police had found the victim's shoes. When the police said no, Williams directed the car to a nearby gas station, where he said he had hidden the shoes. They were not there. As the car turned back to Des Moines, Williams next asked if the police had found the blanket, and then led them to a rest area where he said he had disposed of it. The blanket couldn't be found either. Finally, as the car headed once again to Des Moines, Williams said he would show the police where the body of Pamela Powers was. This time a search found what the detective was looking for.

Williams's statements and actions in the car were recounted at his trial, where he was convicted of first degree murder. Outside the hall of mirrors, it's hard to see any particular injustice in this. Clearly, Williams had voluntarily steered police to the body. He had done so after his attorney had expressly warned him not to—but it had been his decision, in response to a statement by the detective that appealed to his religion and his ordinary feelings of guilt. To be sure, the detective was less concerned that the Powers child receive a "Christian burial" than he was to discover her whereabouts, and he bluffed Williams by pretending to know that she was already dead. But perhaps he was thinking less of the possible interpretations of the *Miranda* ruling than about the time being lost while Williams followed his attorney's careful stage instructions.

In 1976, however, over eight years after the murder, the Williams case reached the Supreme Court. The Court's reasoning, in its opinion setting aside Williams's conviction, was familiar. His tacit confession, the Court declared, should not have been admitted into evidence, because the government had not met "its heavy burden of showing a knowing and intelligent waiver" by Williams of his "right to legal representation." Justice Thurgood Marshall was particularly scathing in his denunciation of the detectives who had "knowingly isolated Williams from the protection of his lawyers and during that period... intentionally 'persuaded' him to give incriminating evidence."

When we think of the Fifth Amendment, instead of recalling the Star Chamber or Joe McCarthy, it would be more accurate to think of Robert Williams and Walter Taylor. It is they, along with assorted Mafiosi, drug smugglers, tax cheats, and labor racketeers, who make up the Amendment's natural constituency. For the rest of us, the Fifth Amendment offers nothing. It may have been a powerful weapon against oppression for our ancestors back in 1640, but they didn't choose their weapons with much precision. Over the last 200 years it has acquired a thick crust of traditions and rationalization. But we shouldn't let that prevent us from seeing that it is, at bottom, a fallacy —a constitutional mistake whose elimination would make life more difficult for the guilty, but would sacrifice none of our true freedoms. ■

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Scenes from a Political Marriage

by Jacob Javits and Rafael Steinberg

Marion Javits is not a typical Senate wife. But her husband's account of what went wrong with their marriage should be read, along with Marvella Bayh's book about her relationship with Birch Bayh (see "The Fantasies of Senators' Wives" by Joseph Nocera, Washington Monthly, *September 1979) by anyone who wants to understand the ways in which politics and matrimony do not mix.*

—The Editors

Jacob Javits is a U.S. Senator from New York. Rafael Steinberg is a New York writer. This article is excerpted from their book Javits: Autobiography of a Public Man, *to be published this spring by Houghton Mifflin.* *© 1980 by Jacob Javits.*

We are not a typical couple. During our 30-year-plus marriage we have had to make many adjustments; press and public and even close friends speculate about our relationship. In a perfect world Marian and Jack Javits might both have been more happily married: after years of raising our children, I have missed the companionship, the sharing, and the quiet, restful haven that some lucky men find in later married life. Marian has missed the romance, the attention, and the continuity of emotional attachment that she expected to find over time with me. But no one has forced us to stay together. We have established a relationship that is congenial and stimulating in its good

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PHOTO BY HENRY GROSSMAN

moments, and tolerable at other times, which classically is what happens in marriages of long duration. If I had known how it would all work out when I wed Marian Borris in 1947 I think I would probably have married her just the same: we were much taken with each other.

The stresses of our married life were foretold and symbolized on our wedding night. Congress was in special session, and I had to attend a meeting of the Foreign Affairs Committee the next day. So, instead of going on a honeymoon, we took a compartment on the overnight train from New York to Washington; the train departed about midnight, but passengers could go aboard at ten o'clock, get a full night's sleep, and wake up in Washington's Union Station. It must have been 11 p.m. or later when we boarded the train after the wedding festivities. Before we settled into our compartment, I went over to buy the morning papers, my normal routine as a congressman who had to keep up with the news—marriage or no marriage, I had to know what was going on. Marian was devastated; she has never let me forget that on our wedding night I brought the morning newspapers into our stateroom. I understand her perfectly, and yet I find it difficult to see how I could have done differently. From the beginning, work and marriage were on a collision course.

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Marian Borris and I had been dating in 1945, but after awhile we simply stopped seeing each other. Much as I liked her and enjoyed our dates, much as I looked forward to marriage and having children, I had been put off by Marian's ambition for an acting career. I doubted that an actress would be able to mesh her life with mine, and I was not so smitten that I dared ask her to give up her dream. So when I kissed her good-by and went off to Mexico and Guatemala for a holiday at the end of 1945, there were no promises or expectations that we would see each other again. Upon my return I plunged into the maelstrom of the 1946 congressional campaign and did not call her. I went to some parties and I gave some parties, I dated a few women friends, and I played a lot of tennis, but primarily I worked long hours and did not consider romance or marriage. I did think about Marian from time to time—but in the past tense, as an episode in my life.

First Glimpses

Then, in April of 1947, when I was a very busy first-term congressman, I received a note from Marian one day congratulating me on the rise in my career. While lying in bed with a cold, she wrote, she had heard me on the radio discussing some national political issue. She said that she agreed with me, that I sounded intelligent and happily involved, that it reminded her pleasantly of our nice times together, and that she would like to see me again if I was interested.

With that note, a tide of pleasant memories came flooding back; I called her, she sounded as attractive as ever, and we arranged a date. That first date gave her a glimpse of what life with me would be like—but perhaps she did not then grasp its significance. It was on a Saturday and I had arrived in New York from Washington late the night before. I asked Marian to come to meet me at my apartment at 150th Street and Riverside Drive, because I was to be busy with constituents all day and, if I had tried to get over to the Bronx to pick her up, I would not have arrived there until quite late and that would have spoiled the evening. She arrived at about eight o'clock. I still had not finished my day's work: a delegation of Greek-Americans and I were talking about the Greek-Turkish aid bill which was then before Congress. Marian waited patiently until I finished with the delegation, and then we went out for dinner. It went pretty much that way every weekend. Marian met me where I was speaking or meeting with a group of constituents, and she had to spend a good deal of time waiting for me to get through with being a congressman before I could turn my attention to her. She did not seem to mind; maybe it pleased her that this congressman, whom all these people had to talk to, would be all hers for a while, afterward. Maybe she enjoyed listening in on political activity, in the expectation that she would become part of it one day. Not until after we were married did she react strongly to the conflict between my work and her need for her husband's society.

The hours I spent with Marian in the spring and summer of 1947 were limited, but happy. We had dinners together and went to concerts and the theater and dancing—and I could teach her the rhumba, conga, and samba from my salad days. During the summer I took her up to Connecticut to visit my brother Ben and his wife Lily and to go swimming on the pebbly beach at Westport. My brother and his wife and my mother were all delighted with Marian. No one pushed me to marry or even mentioned it, but they all realized, with quiet approval, that my intentions were serious.

Marian was born in Detroit and came to New York as an infant, to live in crowded tenements in Manhattan and the Bronx. She had not often been out of New York City until, at 17, she left for California, hoping for a Hollywood career. Her mother and father were immigrants from Odessa who had not broken out of their modest circumstances before the 1932 Depression caught up with them and intensified their economic struggle. They separated, reunited, and finally divorced when Marian was about ten, whereupon Marian and her mother and her chronically ill older sister moved in with Marian's grandmother, a sweet, wizened old lady who doted on Marian and was a bright spot in her existence. Marian's mother eked out a living doing electrolysis at home, and Marian, growing up beautiful and intelligent, became the hope of her family. She had to care for her sister and speak up for her in a series of public hospitals and clinics, and this taught her at an early age

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that she had to fight if she wanted anything to happen. She developed an iron determination to be independent and to overcome whatever difficulties and injustices she encountered, and she retains this drive to this day.

Marian's determination to succeed on the stage had caused me to hesitate the first time around. But she was pragmatic, too, and having made too little progress in the theater, she was beginning to look for other ways to direct her life. That was fine with me. I was in the public eye myself and I was not seeking another celebrity. At the same time, I recognized that since I was so busy, Marian could also have a profession that would absorb her. I offered to lend her the money to go to college and work toward a medical degree and a career in psychiatry, a subject that greatly interested her. But our marriage overtook that idea.

The summer of 1947 I was appointed to a special congressional subcommittee to visit the displaced persons camps in Europe. We sailed from New York on August 27 on the Queen Mary, and Marian came down to the ship for the *bon voyage* party. It was a gala leave-taking, the maiden eastbound voyage of the Queen Mary after the war, and there were dozens of congressmen and their aides aboard, members of several different committees. Some of my colleagues had heard a lot about Marian from me but this was the first time they had met her, and they were all charmed and impressed by the beautiful and exuberant young woman who came to see me off. When the "all visitors ashore" whistle blew, I kissed Marian good-by. Jim Fulton, a Pennsylvania congressman who was my best friend in the House, then claimed "congressional courtesy" and kissed her too, and some of my other colleagues did likewise. After which, of course, I came back and kissed her again. The departure was delayed several times, and we went through it all again, with more kidding and high jinks each time. We finally sailed; as we moved down the harbor my obviously envious friends continued to tease me. I was very proud of Marian, and that night I called her on the ship-to-shore phone, for the fun of it and because I wanted to let her know that although I was going off on a trip again, this time my heart was very much with her.

On a Sunday evening soon after my return to New York in October we were sitting in my apartment reading the papers—or rather, I was just looking at them, because my mind was on the question of me and Marian. I had again been urging her to resume her education, but she had not enrolled for the fall term at Columbia as I had hoped she would, and I realized she was not going back to school. Suddenly I put down the papers and turned to her and said, "All right, I think we should get married." I meant, "All right, as long as you're not going to school...." It was, I confess, a precipitous and rather unromantic proposal, but we were already very close and dear to each other—although I was obviously still so shy that I had to blurt it out like that. Marian accepted on the spot in a matter-of-fact tone that matched my own: I think she said something like, "Yes, that would be nice."

At Marian's suggestion we took her mother to dinner. I had met Clara Borris before that, of course, but this time I was really being scrutinized, and although I was a congressman and was dining in my territory, the Roosevelt Hotel, I felt stiff and uncomfortable under the appraisal of this pleasant and unassuming but romantic Russian woman. Marian's mother expressed great respect and affection for me, and the evening went well. But later she let Marian know she was worried about the great difference in our ages and the gulf that separated Marian's world and mine. Early in my relationship with Marian, her mother had been concerned when I asked my secretary to telephone a message to Marian arranging a date instead of placing the call myself; she felt that wasn't the proper way to do things. Marian's mother was thinking only of her daughter's happiness, and she voiced these misgivings despite the obvious advantages that the marriage might bring her family. Finally, having made sure that Marian understood her concerns, she gave us her blessing.

We set the date for Sunday, November 30, which turned out to be a perfect day for our wedding: on the day before, the United Nations approved the Palestine partition plan that was the first step toward the establishment of the State of Israel; Jews everywhere were celebrating with us that weekend. We made quite a civic bash of our wedding at the Temple of the Covenant on West 180th Street, in my congressional district. Rabbi Joshua Loth Liebman of Boston, the spiritual counselor and intellectual leader of an important group of liberal Jews, whom I had met through David Niles

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during the war, officiated at the ceremony. We also had to have the rabbi of the temple, of which I was a member and which I attended on the High Holy Days and on Sabbaths when I could. That still left a number of prominent rabbis in the district who had invited me to speak about Palestine to their congregations and who had to be represented. We ended up with four rabbis as we said our *I do's*.

The guest list included all my campaign workers and contributors, and all of the political figures I knew and whose support I would have for many campaigns, as well as many of the leaders of the Washington Heights community. The temple was filled to capacity—about 500 people—with hundreds of invited guests overflowing into the streets and mingling with uninvited but enthusiastic constituents, all kept more or less in order by a police detail. It was more like an election night victory party than a dignified rite of marriage. Marian was a stunning bride, the public loved her, and everyone was happy—but no one was happier than the bridegroom.

The special session of Congress had ruined our plans for a honeymoon, so—with those newspapers—we boarded the Washington train that night. We never had a proper honeymoon. The closest thing to it was a trip to Havana a few weeks later—in the company of the same subcommittee with which I had traveled to Europe that September. We were delegates to a conference in Havana that was supposed to draft the charter for a world trade organization to be called the International Trade Organization (ITO), but the delegates of some of the smaller countries suspected that the U.S. wanted to exploit them, and the conference did not go well.

At one point Jim Fulton and I decided that the U.S. delegation should give a party for the other delegates in order to establish a more congenial atmosphere. Since Marian was with us and had already displayed her skills as a hostess, I asked her to arrange the festivities. This she did, and extremely well, although she had to transform a huge and barren hall in Havana's Nacional Hotel—you could smell the mothballs, she said—into a gala environment. The party itself was a great success and prevented the conference from breaking up altogether. Marian was able to generate an atmosphere of warmth, introduce delegates to each other and make them all feel happy and at home. It was a remarkable social and diplomatic achievement.

But Marian was troubled and she let me know it. She considered the trip our honeymoon and she thought I was devoting too much attention to my official duties. Because the conference was in trouble, I had spent an evening hurriedly writing a previously unscheduled speech, in Spanish, that I was to deliver to the Americas over radio the next day, and she regarded that, too, as an unfair infringement on what should have been time for her. Just as the big cocktail party was about to begin, Marian for a moment wavered over whether she would or would not go to it. The crisis passed, but it was an omen for the future. One might think that our courtship evenings shared with my constituents would have shown her how I lived and worked, that she should have known what she was getting into. But the fact is that because of her romantic inclinations she had not accepted the situation, and she was hurt. Perhaps she relied on the idea that in the happily-ever-after of wedded bliss I would change, magically. More likely, she thought that if she set her mind to it she could change me—although I was 20 years older and filled with determination too.

Eventually, however, Marian began to feel limited by the social role to which she felt I had confined her; she wanted to step out on her own into more intellectually stimulating and emotionally satisfying fields. This she has done with a great many work projects, usually connected with communications and the arts. On one occasion years later, her brief assignment with Iran Airlines, Marian's reaching out for a more meaningful work role caused trouble for both of us.

During the first year of our marriage, 1948, Marian did not come to Washington often. It was an election year, I was spending a great deal of time in New York, and Marian was pregnant with our first child. Despite that, she worked hard in the campaign, accompanying me throughout that summer to local political clubs, veterans' groups, civic organizations, and synagogues and churches. Everyone liked her and she was a great political asset.

Although big with child, one day in the middle of September, Marian gamely stayed by my side as I hurried around to meetings and appearances. Late that afternoon we served tea in our apartment to about 50 ladies organizing a "women for Javits" campaign committee. Everything was going well and I was about to make a little speech to the group when Marian excused herself and went into the

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bedroom. Not until I had finished speaking did I find out why: her labor pains had begun and she thought that we had better get to the hospital—quick. It was then about 6 p.m. I took her down to our car and drove her the 45 blocks to Jewish Memorial Hospital on Broadway and 196th Street, carefully stopping at every red light; after all, I *was* in my own congressional district, and it was election season. After Marian had been admitted, I waited until around midnight, when I was told it might take a few more hours. So I went home and to bed and was no sooner settled than a phone call announced the birth of a baby girl. Back I dashed to the hospital as fast as I could, this time disregarding traffic lights. I felt guilty at my absence and wanted to join what now had become the majority of my family. We named our baby Joy Deborah.

In the spring of 1949, during a very busy session of Congress, Marian and Joy joined me in Washington. Jim Fulton moved out of the apartment on Q Street that we had shared, and my wife and daughter moved in. All went well enough until the summer. The session dragged on through August and into September. The apartment was not air-conditioned—few, if any, were in those days—and the only way to cool off was to go up to the roof. Marian, pregnant again, was suffering from morning sickness, and the baby, Joy, was quite ill with diarrhea. I remember that summer as a hot, messy, sticky time for everyone: nauseous mother, suffering baby, father changing diapers in the middle of the humid night. Marian remembers that I was away a lot and that she was left alone in her own discomfort with the sick child and the stuffy apartment in the unfamiliar city from which most of the other congressional wives had fled for the summer. After some weeks of this, Marian felt that since I could not spend much time with her anyway she would be more comfortable in our airy apartment in New York, where her

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mother could visit and help her. Before the summer was out Marian and Joy had moved back to Riverside Drive.

We had made our New York home in the apartment that I had occupied as a bachelor. But early that fall, with our second child due to arrive around the end of the year, we found a new apartment that Marian could truly call her own. This one was at 450 Riverside, near Columbia University, in a building in which many of the university faculty members lived. The apartment was ample, and Marian happily went about the task of furnishing and decorating it in excellent taste and style. I went to Europe on another congressional study mission later that fall, and Marian's warm, loving letters to me were full of home news about arranging the apartment, Joy's first steps, dinners with relatives and friends, and how much my wife missed me and awaited my letters and return. We lived at 450 Riverside for five years, the remainder of my service in the House of Representatives. It was a comfortable and pleasant apartment—even though I was never able to fully to satisfy Marian's hunger for our being together—and it became a marvelous showcase for Marian's talents.

Our son Joshua was born in January 1950, and with two small children to look after, Marian was fulfilled and busy. My growing family gave me great pleasure, and I slipped easily into the Washington official's commuter routine. I found as much satisfaction in my work at one end of the route as I did in my family at the other. In those days most House business was conducted from Tuesday through Thursday to accommodate the many congressmen able to return to their districts once a week. I had no social life in Washington at all; I was on the House floor or in committee all day, my office in the evening, and then to sleep in a succession of hotel suites and small apartments. I would be up early for a stop at the House gym for a game of paddle ball, which I rarely omitted, and then back to work.

Late Thursday I would return to New York. Friday was a day of work at the Javits & Javits law office; we found it difficult to live comfortably on my congressional salary alone. Friday night we usually dined quietly at home and caught up with each other; that was one evening sacred to the family. Politics returned on Saturday: as many as 100 constituents streamed into my district office for help on individual problems of immigration, or government pensions, or the draft, or with landlords (I had set up rent-control clinics in the district, manned by a devoted corps of volunteer lawyers and they required attention too). Saturday evenings Marian and I tried to go out together to the theater or a party or a dance; but as often as not those plans were changed by my need to attend a church or a synagogue affair or a civic function in the district or a big anniversary or birthday party of an influential constituent; and Sundays were sometimes interrupted too. On Monday I usually put in another day of legal work, but Monday night was a fairly safe night for us to entertain, at least in the early days, even if Congress was in session. As the congressional workload increased, however, I often had to spend more days in Washington.

Although Marian complained about my absences, particularly about the weekend evenings at district gatherings, which she thought were often a waste of time, those years at 450 Riverside were good years for our marriage. The children cemented our relationship and we enjoyed a measure of that happily shared living that marriage is all about. We entertained a widening circle of interesting friends. Marian took Spanish and Russian and English literature courses at Columbia, some painting at night and some acting classes with Gertrude Lawrence. On important social occasions, such as White House dinners and receptions, she would come to Washington.

Wife, Mistress

Marian's customary absence from Washington, where I have spent most of my post-World War II working life, has caused more comment than any other aspect of our marriage. Marian has said that Washington is a "company town" whose only business is government; her distaste for Washington originated in the unfortunate summer of 1949, and then deeper and more complex influences discouraged her from living here. Increasingly my world became one of politics and government in which only I could participate, and she turned to the artistic and intellectual side of life, which she felt she could find in New York. Whether our physical separation was the result or a cause of this developing pattern of our marriage is difficult to say; it was probably something of both.

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The core of the problem was Marian's growing aversion to the demands of public life as it became clear that my priority was work. During her early visits to Washington she made friends with the wife of the French ambassador, Henri Bonnet, and complained to her one day about how difficult it was to tear me away from my work in Congress. Madame Bonnet tried to reassure her: "But isn't it better for you, his wife, that his work is his mistress?" Relationships change; some years later, in a magazine interview, Marian turned the remark around and said that the *Senate* had become my wife and *she*, Marian, my mistress—*she* was expected to wait.

Marian was criticized for that one, but I understand what she meant. She is more than 20 years younger than I, and her expectations of marriage were so romantic: dinner together every night, little attentions, a complete sharing of emotions. She felt that I was more attentive to the Senate than I was to her, and came to my "mistress" Marian only when I could be spared from the Senate. This is something more than a joke: I think the point is fair. Congress was and is my wife in the sense that my work there limited my marriage, rather than the other way around. Marian feels that I had my priorities backwards.

It is not just a question of time and energy. Marian feels that I have been so involved with my work that she has never been able to catch hold of me emotionally. I do get my greatest satisfaction from the knowledge that what I do is affecting the lives of millions of people, and it is not Marian's fault that marriage seemingly cannot overcome my commitment to the public life I chose. Marian's view is shared by thousands of women all through history who married men who went off to fight wars or conquer empires or write symphonies or paint masterpieces or achieve power, and who found an emotional satisfaction in those endeavors that they could not duplicate around the family hearth. Many such women were content to fit in with their husbands' work; in contemporary society, with so many options open to her, this clearly was not Marian's way. Her expectations of marriage were very high, romantic and demanding. What she wanted of me was more than I could give.

In her concern with my emotions, Marian has also felt that I am too caught up in intellectual process, too devoted to the nitty-gritty details of legislation and politics, to act, even on occasion, emotionally or impulsively—that is, by my definition, incautiously—in my public life. Marian points out accurately that whatever I am doing, whether it is work or playing tennis or attending a party, I do it single-mindedly and that I never enjoy the "luxury" of wasting time. For me, even recreation is work.

No Haven

I had married not only to raise a family, but to find a haven in which I could rest from the conflicts and strains of political life. I did not expect my home to become another arena of controversy, and when it did, *I* was upset. Marian, when she was very young, had been influenced by radicals of the intellectual left, and their doctrine, added to the real injustices and privations she experienced, had infused her with a spirit of rebellion and something of a distrust of the established political and social order.

In the beginning, these differences were not so apparent. Marian was rather awed by my position and did not seek to express or develop strong opinions of her own on public questions. But as she matured and digested my views on public affairs she started to pay closer attention to what I was doing down there in Washington; her own opinions evolved, and they tended on occasion to differ from mine. Essentially, I am devoted to the American system, not only out of patriotism but because I think it works better than any other governmental system yet devised; I feel deeply that the best way to improve our society and eliminate injustice is by working within this system and using its apparatus for reform. Marian questioned many of the premises on which these beliefs were based; she was not necessarily opposed to them, and she did not lack patriotism, but she challenged the way the system was organized and run, she was impatient of its flaws, and she tended therefore to challenge the fairness of the system itself. I am part of the system, and even personally identify with it, and I did not want to be challenged that much at home.

Marian is a very substantial, highly intelligent woman with what is now enormous experience; she is hard-headed as a business woman and about financial

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affairs. She is also absolutely honest with herself and everyone around her. This makes her intolerant of fakery and pretense, even when it is intended to avoid hurting other people unnecessarily. So it is hard for her to accept the civility I extend uniformly even to those whom I may not particularly like or respect; my rather calm acceptance of other people's flaws and antagonism and even vituperation—the patience I learned from my mother—sometimes nettles Marian. Her straightforwardness also has made it difficult for her to accept the compromises that are central to the life of a legislator. She has never quite felt entirely at home as a Senate wife. As a result of all this she became reluctant to participate in many of the necessary political chores between campaigns.

Marian has always been extremely loyal to me politically. When I am attacked or criticized, she defends me like a tigress. I am much more tolerant of criticism than she is: attacks are part of the political process, and they don't bother me unduly. But Marian tends to regard criticism by others as an insult to me, and criticism of me as an attack on her. To the world, therefore, Marian has always been one of my staunchest defenders and explainers. Within our home, however, she has never hesitated to take me to task when she thinks I have transgressed. It is almost as if she believes that only she has the right to criticize me.

Marian clearly demonstrated her loyalty in 1954. A few years earlier, when she was complaining most about the demands on a congressman's life, I sought to reassure her by telling her that when I was 50 I would leave elective office. I was aware that one could get stuck in the House of Representatives—there is only so much that one could do there—and I calculated that after four terms I would be ready to move on to something that would be just as satisfying to me but would allow me to experience a more normal family life. Marian, of course, was delighted at the idea; she clung to it, and it enabled us to get through the next few years with our hopes intact.

Then, in 1954, I had the chance to run for attorney general of New York State. We discussed it and agreed that it was a political opportunity I could not forego, even though I had just turned 50. Although she concurred in my decision to make that run, Marian at that point almost despaired of ever having me as the kind of husband she wanted. Yet she turned to, very loyally, in a do-or-die campaign against Franklin D. Roosevelt, Jr.; she did a remarkable job of recruiting volunteers, getting tens of thousands of letters mailed, running my campaign office, and bringing in contributions and supporters I could never have attracted without her.

Her loyalty was rewarded, for my career then took a turn that drew us together for a time, as both of us hoped it might. Soon after I was elected attorney general, Marian and I moved from Riverside Drive to an elegant apartment at 911 Park Avenue, much closer to the social and cultural world that Marian enjoyed. For the next two years I spent more time at home than at any period of our marriage before or since. Our daughter Carla, just born in 1955, added to the bliss of this high point of our marriage. We went on holidays; we went to operas and plays and we entertained a good deal; life was so good that Marian and I ignored the promise that I would quit public life at age 50.

When, in 1956, I ran into a personal political crisis and it became obvious that the only way I could vindicate myself was to get elected to the Senate, again Marian concurred—the decision was unavoidable—but she was not happy with it. And after I went to the Senate, although the honor was great and the prestige was enormous, and it drew great attention to Marian in so many ways as a bright and able and beautiful woman, the differences in our lives became more pronounced, and our marriage suffered. I had not retired; the Senate demanded even more of my time and energy—in Washington and on many overseas trips—and of course required less frequent election campaigns in New York. Marian observed that the senatorial routine tended to deprive a wife of much of her opportunity for individuality and to establish her more as an element of her husband's career. She contrasted that with the social and cultural life she was able to lead as a prominent and popular woman who moved with ease among brilliant and creative people—and she became less willing than ever to live in Washington. Slowly, with enduring mutual respect and loyalty, but not without pain on both sides, we began to work out the *modus vivendi* of separate interests—two lives intersecting but not congruent—that characterizes our marriage to this day.

As long as our children were small and living at home, Marian and I maintained as

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close a family life as we could, despite my absences from New York. In a real sense the children held us together. We celebrated the Passover together, lit the first Chanukah lights together, set out the memorial candles together; and we made a point of observing birthdays and anniversaries and Mother's Day and Father's Day—and of exchanging and opening our gifts together at Christmastime.

The Non-Compromise

We went on trips together: Christmas holidays to Mexico, Puerto Rico, Bermuda, and Jamaica; and the whole family went to Europe and to Israel for Joshua's formal entry into manhood according to the Hebrew faith, his bar mitzvah. In the winter I took the children ice-skating at Rockefeller Center (although these outings were sometimes interrupted when constituents came up to talk politics). Skating was a greatly cherished ritual because it also included hot chocolate and often lunch in the cafe. In the summer we went bikeriding in Central Park and swimming in some friends' swimming pool in the nearby suburbs, and often we played tennis together.

Even when I was away in Washington, the children recall, my values and my activities were very much a part of the family. They always knew where I was and what I was doing, and I telephoned every evening around dinner time to talk to them. If any of the children had misbehaved, Marian told me about it so that I could exert some measure of parental discipline over the phone, sometimes quite effectively. Marian wished me to show a little anger or impatience to take the edge off her disciplinary actions, which I seldom did, but generally we agreed on their upbringing.

I do not think that the children were damaged by my absences or by the problem that emerged between their parents, of which they were certainly aware. They are very close to each other, and to us, and we are very proud of them. If there is anything about our children that dissatisfies me, it is that none of them is yet married, and whether that has anything to do with their parents' lives I just do not know. There is no love like the love of a parent for a child, and I want our children to feel that love too—I hope I live to see it.

As the children grew up and went away to school Marian and I found less and less time to share. For example, it became progressively more difficult for me to manage to get to New York just for the opening night of a play for which we had tickets, or for a concert or a charity ball—which were so popular in the fifties and sixties. In the beginning I would arrange for some couple we knew to take her, and then perhaps an individual. Eventually she began to arrange these times herself. Moreover, my Senate responsibilities required me to make many trips abroad, and since Marian likes to travel too, it would have been good for both of us if she had come with me. We did try, but it did not always work out, because she did not want to submit to the discipline of so many fixed appointments: the early breakfasts, and the lunches and dinners and meetings with ministers and parliamentarians and heads of governments. I am busy on these trips, talking to people and making notes, but she would have liked me to share more personal activities with friends or artists and writers, and join her at a museum, instead of the seemingly endless official business matters that took so much of my time and interest. To Marian, a trip abroad should be also something of a holiday. My view is that we go to a museum or have lunch when I have nothing official on my schedule, or we fit it in at, say, 4 p.m., because the minister has postponed an appointment. It is like Havana 1947 all over again, and the hurt takes some of the pleasure out of the trip, for both of us. So nowadays she accompanies me abroad only on such very special trips as our recent visits to the U.S.S.R. and the People's Republic of China.

I cannot say that the way we live is the optimum. If Marian had been able to compromise more I would have had a much easier and more comfortable life; marriage could have provided total companionship and even greater emotional support for my work. I remember Senator Strom Thurmond, who held the floor of the Senate for more than 24 consecutive hours in one civil rights filibuster while his wife, Jean, sat listening in the gallery, giving him moral support all that time. If I had been filibustering and had asked Marian to be there, of course she would have come, but the point is that, as we lived it, she would have had to be asked. Perhaps my need for her in this respect was not ever made really clear. ■

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Memo of the Month

• A SPECIAL AWARD will go to the author of Suggestion No. 10,000. •
Send your suggestion to: Employees' Suggestion Awards Program, 165 Capitol Ave., Hartford, 06115.

Interdepartment Message

STO-201 REV 7-78 STATE OF CONNECTICUT
(Stock No. 6938-051-011)

SAVE TIME: *Handwritten messages are acceptable.*
Use carbon if you really need a copy. If typewritten, ignore faint lines.

To	NAME: SEE BELOW	TITLE:	DATE: APRIL 15, 1980
	AGENCY: CORRECTION	ADDRESS:	
From	NAME: T. DeRIEMER	TITLE: EMBER, STATEWIDE PAPER-	TELEPHONE: 5606
	AGENCY:	ADDRESS: ORK TASK FORCE	

SUBJECT: FORMS COLLECTION

By 1979 Public Act, and DAS Commissioner Memo, the State Purchasing Division is required to gather ALL forms in use by EVERY State Agency and sub-unit.

We are providing a cover sheet to attach to each format in use by your unit (Reproduce additional copies locally, if needed). Your collected and labeled forms should be forwarded to me no later than April 30, 1980. Only clean, unused forms should be submitted.

Any obsolete forms which you discover in this process should be contributed to paper recycling efforts. Negotiable or numerically-controlled form sets (such as gas coupons or traffic tickets) should not be provided in original form unless voided. Submit photo copies instead.

HERE ARE THE RULES:

1. Collect three copies of every form used by your unit. Paper-clip the group of three. To the top copy of each group, affix a "Forms Use Report.
2. Complete the "Forms Use Report" for each forms group.
3. Sort the forms into 15 piles by FORM CLASS--I.A.
4. Sort each of these groups by size of form to make handling easier.
5. Separate the forms which have been assigned a form number (e.g. CO-17, STO-93, HOSP-201) from those which have no assigned number.
6. FUNCTIONALIZING: For FORM CLASSES (I.A.) 1 thru 5, only, identify the ACTIVITY (Table II) and FUNCTIONAL VERB (Table III) which most specificall identifies the agency activity which is responsible for ultimately using the data on the form and what action the completed form envisions.

EXAMPLES OF FUNCTIONAL CODING

	ACTIVITY	FUNCTION
A. CO-17 Vendor Invoice Function: REQUESTS Payment from Accounts Payable	1.5 Accounts Payable	.08 Request
★ B. SP-10 Purchase Requisition Function: REQUESTS Purchase of Commodity or Service by Pur. of Purch.	9.6 Purchasing	.08 Request
C. CO-94 Purchase Order Function: ORDERS Commodity or Service through Purchase	9.6 Purchasing	.05 Order

SAVE TIME: *If convenient, handwrite reply to sender on this same sheet.*

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FORMS COLLECTION p.2 4/15/80 DOC

7. A. When the function coding is completed, wrap or box all forms in CLASS CODES 1-5 by FUNCTION .01 thru .08 (Table III) and send to Correction Central Office, Attn: T. DeRiemer.

B. Wrap or box the sorted CLASS CODES 6 - 15 for delivery to the Correction Central Office, Attn: T. DeRiemer. This group is <u>not</u> to be sorted beyond the requirements of Step 3.

Forms Collections will be required from:

Office of Commissioner
Deputy Commissioners
Facility Administrators
Division Chiefs
Board of Parole
Board of Pardons

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FORMS USE REPORT

TO: T. DeRIEMER, DOC Central Office (Agency # 8001)
340 Capitol Ave., Hartford, CT 06106

FROM (Name): _____ DIVISION: _____ ACCT #: _____
(Note: Data on above line should specify the origination point of this form)
ATTACHED ARE 3 COPIES OF THE SUBJECT FORM IN USE BY THIS DIVISION:

FORM NAME: _____
FORM NO.: _____ DATE OF LATEST REVISION: ____/____/____ NO. OF THIS FORM USED ANNUALLY: _____
IS THIS FORM EVER REQUIRED FROM A MEMBER OF THE BUSINESS COMMUNITY, OR IS IT COMPLETED OR REVIEWED BY PRIVATE, NON-AGENCY PEOPLE? ___(Y); ___(N)

I.A. FORM CLASS (Circle the code which best describes)

These forms will require FUNCTIONALIZATION using Table III, below.

NOTE: Divisions are not required to to classify these CLASSES by funtion.

I.A CLASS CODES	DESCRIPTION				
1	SHEETS, LOOSE	6	FORM LETTERS	11	TAGS
2	SHEETS, PADDED	7	LETTER HEADS	12	LABELS
3	SHEETS, IN SETS	8	INTER-OFFICE MEMOS	13	ENVELOPES
4	SNAP-OUTS	9	CHECKS	14	BOOKS
5	CONTINUOUS	10	CARDS	15	MISC.

Within all CLASSES, forms are to be grouped by size and form no., e.g.:
SIZE A SIZE B SIZE C

1) Numbered forms, in order:
2) Un-Numbered forms:

I.B. SOURCE (Circle the code which indicates how your forms were produced)

I.B SOURCE CODES	DESCRIPTION
I	IN-HOUSE PRINTING
P	PURCHASES
O	CENTRAL WAREHOUSE
C	COPY MACHINE
F	FURNISHED BY OTHER STATE OR FEDERAL AGENCIES, OR FIRMS WITH WHOM THE STATE DOES BUSINESS (EG. INSURANCE FORMS).

II. ACTIVITY AREA CODE (Circle the primary use code)

1.1 General/Cost Acctg	3.1 Executive	9.1 Engineering
1.2 Payroll	3.3 Office Services	9.2 Production
1.4 Credit & A/R	3.7 Legal	9.3 Shpg & Recv'g
1.5 A/P		9.6 Purchasing
1.6 Systems & Data Proc	7.0 Marketing & Sales	9.4 Warehousing
1.8 Audit, Tax & Ins		
1.9 Order Proc & Cust Serv		12.0 Personnel

III. PRIMARY FUNCTION (Circle the code and explain the Function)

CODE		EXPLAIN	CODE		EXPLAIN
.01	ACKNOWLEDGE	_____	.05	ORDER	_____
.02	ADVISE	_____	.06	RECORD	_____
.03	AUTHOR	_____	.07	REPORT	_____
.04	INSTRUCT	_____	.08	REQUEST	_____

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Table III-A
VOCABULARY FOR FUNCTIONAL FILE
Secondary Functional-Verbs

A

Accept .01
Account for .06
Acknowledge .01
Adjust .03
Admit .03
Admonish .04
Advise .02
Agree .01
Allot .03
Analyze .07
Apply for .08
Appoint .03
Appropriate .03
Approve .03
Arrest .05
Arraign .06
Assign .05
Audit .07
Authorize .03

B

Bill .08
Budget .08

C

Cancel .05
Catalogue .06
Certify .01
Change .05
Charge .08
Claim .08
Clarify .02
Code .06
Collect .08
Commend .01
Complain .07
Compute .06
Confirm .03
Confiscate .05
Consent .01
Contract .03
Control .05
Credit .02

D

Deliver .05
Dispose .05
Distribute .05
Document .07
Dun .08

E

Encumber .05
Enforce .05
Estimate .06
Evaluate .07
Examine .07
Exempt .03
Extract .08

F

File .06
Fingerprint .06
Follow-up .08

I

Identify .06
Indict .06
Index .06
Inform .02
Inquire .08
Inspect .07
Instruct .04
Interview .06
Introduce .02
Inventory .07
Investigate .07
Issue .05

J

Justify .03

L

Label .06
License .03
List .06

M

Move .03

N

Notify .02

O

Offer .02
Order .05

P

Pay .03
Permit .03
Petition .08
Plan .06
Prescribe .05
Produce .05
Purchase .05

Q

Qualify .03
Question .08

R

Rate .07
Receipt .01
Record .06
Refer .04
Refuse .03
Register .06
Reimburse .03
Release .03
Remove .05
Renew .05
Reply .02
Reprimand .04
Report .07
Request .08
Requisition .08
Return .03
Review .07
Route .04

S

Salvage .05
Schedule .05
Sell .03
State .02
Stop .05
Sue .08
Summarize .07
Summon .05
Supplement .03
Swear .01

T

Tag .06
Test .07
Transact .05
Transfer .05
Transmit .03

U

Update .07

V

Verify .01

W

Waive .03
Warn .02

FORMS COLLECTION 4/15/80

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Europe can afford to defend itself

The Case Against NATO

by George Ott

This year nearly one half of our defense budget—more than $81 billion—will not be spent on American defense at all. It will be spent to defend our North Atlantic Treaty Organization allies in Europe. That is, it will be presented as a gift to countries rich and powerful enough to defend themselves.

Stop and think for a moment about the helpless Europe we are defending from the Russian juggernaut. NATO's European member countries exceed the Soviet Union in combined population and industrial capacity. The total gross national product of European NATO countries is nearly *twice* that of the Warsaw Pact nations. *Twice. Two* times. NATO countries have the wealth, knowledge, and manpower to look after themselves.

Yet they don't. Why should they? We supply them with defense for next-to-nothing. Europeans, though they live within shouting distance of the Soviet menace, spend little more than half as much for defense, on a per-capita basis, as we geographically isolated Americans. But they'd be fools to spend any more, since we are willing to do the spending for them.

The alternative is to withdraw our soldiers and money from NATO and to return the burden of defending Europe to the Europeans, the ones who enjoy its benefits.

George Ott is a retired professor and frequent contributor to Armed Forces Journal.

When NATO was created in 1949, Europe lay in ruin. As a reasonable (and generous) temporary measure, the U.S. committed six divisions to European defense, pending the continent's economic recovery.

Now, 31 years later, the "temporary" force has swelled to 350,000 American soldiers—19 divisions. We spend $57 billion a year, a third of the Pentagon's budget, on our forces physically stationed in Europe. If you include the cost of U.S.-stationed troops designated for NATO duty, and then throw in NATO's share of weapon-procurement costs and Pentagon overhead, the cost balloons to $81.1 billion, the Pentagon says. In fact the NATO flavor runs through our entire armed forces structure, with Defense Secretary Harold Brown recently acknowledging that the U.S. Army is geared primarily for ground war in Europe.

At the very time American presence in Europe is becoming increasingly costly and less necessary, however, there is a congressional movement to *increase* U.S. subsidies to NATO. If it succeeds, we might spend as much as $1.5 trillion—$150 billion a year—on NATO in the next decade.

This illogical movement reflects, in part, the fact that American presence in NATO has never been particularly logical. For instance, though few would question some loan of troops to post-war Europe, logically there was little reason to be concerned for the continent's security. Europe was a

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shambles—but then so was the Soviet Union. Exhausted by the war, which inflicted much more severe damage on Russia than Europe, the Soviets posed no threat to anyone, except by their atomic weapons, against which troops are useless.

Even former Secretary of State John Foster Dulles, bitterly anti-communist, was aware of this fact. In the year of NATO's birth, he said, "I do not know any responsible high official, military or civilian, in this government or any government, who believes the Soviet government plans conquest by open military aggression."

That a Soviet threat played no role in NATO's inception was affirmed by General Hugh B. Hester, a top U.S. administrator in Germany immediately after the war. NATO was organized, he wrote, "to prevent by whatever means any left-wing front from coming to power in areas under Western military control." This goal obviously was unrelated to stopping a mass Soviet invasion.

A few congressmen and senators opposed a U.S.-financed NATO at the time, and among them Ohio's Senator Robert A. Taft displayed the gift of prophecy. A NATO alliance with large-scale U.S. presence, the pro-military Taft warned, would be seen by the Russians as a direct assault on their security. This would force the Russians into an arms race, Taft said, and divide the world into two hostile camps. This race will be especially difficult to end, Taft noted in 1951, because once we send Europe troops at our expense, we will be constantly asked for more.

Don't Count on Gdansk

This is not to suggest that Europe is in no danger from the Soviet Union. But that danger is nowhere near as great as many assume, and nothing that European NATO cannot handle on its own, if it is willing to apply its size and resources at a reasonable level.

Modern military developments, chiefly the cheap anti-tank missile, favor the defender over the attacker. Strategists believe that a successful modern attacker needs a three-to-one advantage over a defender. Not even the martial Soviet society could produce superiority of such magnitude, if European NATO applied its wealth to its defense.

Moreover, the Warsaw Pact is not the cohesive, rigidly disciplined bloc we usually picture. Could Russia really count on Eastern European troops to bear the brunt of sacrifice in a campaign against NATO? If war broke out today, do you think the Polish army would be eager to die in service to the Kremlin?

Yet even if you believe the Soviet threat to Europe is immediate and grave, there is no reason to assume, as Pentagon NATO planners do, that the economic power relationship between Europe and the U.S. has not changed since World War II. Europe is no longer a rubble-strewn heap, but a competitive economic giant, one that is prospering at our expense.

Former Defense Secretary Robert McNamara once said that increasing military expenditures can actually erode security, rather than strengthening it, by reducing the resources available for other essential investments. That seemingly abstract point is well-illustrated in our subsidization of NATO. While American productivity declines, and our economy lags in comparison to Western Europe and Japan, the Pentagon has a stranglehold on technical research. It commandeers nearly one half of American scientists and engineers, keeping the best minds out of the civilian economy. The products of Pentagon research are then presented free of charge to our NATO allies—while *they* assign their best thinkers to improving their economies, the better to steal business from their benefactors.

Similarly, our vast defense subsidies to Europe are a primary cause of U.S. inflation. Meanwhile, West Germany and Japan in particular avoid inflation by spending a mere fraction of what we spend on defense.

Why won't the U.S. withdraw its subsidies (not its membership, just its subsidies) from NATO? One reason is that the Pentagon and its suppliers are quite content with the arrangement. The Pentagon has a strong stake in expanding its budget by preserving its European presence. The maintenance of a large garrison in Europe offers openings for thousands of U.S. career officers. Likewise, arms suppliers are happy to have the U.S. finance NATO, since they know this guarantees the purchase of U.S., rather than European, weapons. Where the money for those weapons comes from is not the manufacturers' concern.

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The result, General James M. Gavin noted in 1967, is that "the very existence" of American forces in NATO "acts in a manner inimical to the long-term military interests of Europe." By this he meant that Europe has become lazy, all too happy to wallow in our subsidies and remain inherently weak. Announcing the withdrawal of American troops and subsidies from NATO would awaken Europeans to their need to be responsible for themselves, and perhaps give impetus to the continent's political and military integration, enhancing its overall security.

An independent, European-financed NATO would also alter the global balance of power in a positive fashion. It would create a third superpower, ending the precarious bipolar balance of terror in which every development can be viewed as a U.S.-Soviet showdown. It would also seriously complicate Russia's strategies. Since Western response to events would become much more difficult to predict or manage, Russia would be less likely to embark on its little adventures. Finally, the balance of power would be improved because America would get most of its $81.1-billion-a-year back. We could use the money either to make the U.S. stronger economically, or to improve our defenses designed to counter the Soviets directly.

As often happens in defense affairs, the most lucid summary of the situation comes not from some think-tank analyst, but from the most successful military establishmentarian of our times, General Dwight D. Eisenhower. When he was supreme commander of all NATO forces, Eisenhower noted that "the large-scale permanent commitment of American troops to relatively fixed positions outside the continental limits would be costly beyond military return." Luckily for the Pentagon and our spoiled allies, Eisenhower isn't around today. ■

We'll Stay If They Pay

George Ott's article presents one solution to our subsidization of NATO—that we pull out, and make the Europeans pay for their own defense like everybody else in the world does.

But perhaps that idea doesn't quite suit you. After all, you're thinking, what's so bad about having Europe crawling with GIs? It allows us to control the continent's military policy, and provides a sort of extra layer of insurance that certain Europeans will never get any funny ideas about conquering the world again. So maybe you think our domination of European defense is a good idea. The only drawback is still the cost—we spend at least $81.1 billion per year to protect Europe, one half of the Pentagon's budget. Europeans spend comparatively little protecting themselves. In the short run, this subsidy benefits only them.

The alternative to withdrawing from NATO this magazine has endorsed in the past is to make the allies pay. Charge them $81.1 billion for protection. Sidle up to Helmut Schmidt and Margaret Thatcher and say, "Nice little continent you have here. Too bad if anything should happen to it." Tell them we've had it with the current subsidy arrangement, which made sense after the war, but is crazy now that Europe is healthy and wealthy once more. Offer them the choice: either we pull out, forcing them to defend themselves, or they pick up the tab. Eighty-one billion a year direct to the U.S. Treasury, please don't send stamps.

If they decide to pay us, we could make a further offer. Let the U.S. keep policy control over European defense, and get a 15 percent group discount. Just think—$12 billion off! What fiscally responsible conservative in Bonn or Madrid could resist that? And think how many nagging little problems letting the U.S. keep control of NATO policy would solve for the Europeans. They wouldn't have to fight among themselves over touchy issues like which charming Alpine towns to beautify with the Pershing II IRBM, or which vineyards to hide the cruise missiles in. Then everybody would be happy—the Pentagon would get to keep its European fiefdoms for weapons sales and officers' career advancement, U.S. taxpayers would be relieved of an unjustifiable burden, and the Europeans would still not be responsible for their own fates, a condition they, by demanding U.S.-subsidized defense, seem to favor.

The Editors

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English, Si Spanish No.

Spanish-speaking Americans deserve help—to learn English, not Spanish.

by Gregg Easterbrook

A man I know was born to uneducated Mexican parents in Pilsen, the Spanish-speaking ghetto of Chicago. He became a truck driver. When the small company he worked for began to sputter, he managed to buy a piece of it. Over the years, he acquired a controlling share. He switched the firm into a new specialty, the transportation of bulk commodities like flour. Now the company is profitable, and he can afford to live well.

Recently, he was vacationing in Mazatlan, Mexico's coastal resort. Standing in the lobby of an expensive hotel, he was approached by another American tourist, an Anglo arriving with luggage. He sensed an embarrassing moment in the making. All his mastery of U.S. social and economic institutions can never change the fact that, to the unenlightened, he looks like a field hand.

"Boy, get my bags," the tourist said.

"Only if you'll get mine," my friend replied in that perfect unaccented English you've heard so much about. "You can take them to the penthouse."

Later, he reflected on the incident. "If I were going to school today," he said, "I wouldn't have been able to hit him with that comeback. I wouldn't know how to speak English—because I would be a victim of the bilingualism movement.

Gregg Easterbrook is an editor of The Washington Monthly.

"But then it's really a moot point," he continued. "If I'd gone to a bilingual school, and never learned English, I'd still be poor. And then I wouldn't have been in Mazatlan, would I?"

No Greenbacks for Wetbacks

Bilingualism has been in the news lately, and well it should be, not just because of Miami's ballot initiative on the subject, but because it is poised to make the most profound change in U.S. public education since desegregation. Unless Ronald Reagan moves with youthful alacrity, federal regulations drawn up by outgoing Education Secretary Shirley Hufstedler will impose bilingualism on the majority of the country's public schools. Classes, textbooks, and likely school fight songs in at least 87 languages will be mandated. That number seems more imposing than it actually is, because most of those 87 languages are rare Aleutian and Native American tongues which would be offered only in small pockets of the country. So home economics in Urdu is not what bilingualism is about. Spanish is what it's about.

Of the 3.5 million children slated for bilingual education, more than 75 percent are Spanish-speaking Hispanics. Many of them are immigrants, but most are resi-

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dents, second- or even third-generation citizens.

What you hear regarding bilingualism, however, is the echo of a noisy, furious fight over the wrong question. The political and journalistic debate has concerned itself almost exclusively with whether the federal government has the right to impose the program on local schools. Liberals and minority advocates shrilly demand that schools do as Washington dictates. Conservatives (and most newspaper editorialists) thunder back about the sanctity of local autonomy.

No one will just come out and say it—bilingual education is bad for students. There are much better ways to accomplish what it means to accomplish. Bilingualism is especially bad for Hispanics, who are its primary target. In fact, from an educational point of view, *Spanish* is bad for Hispanics.

Bilingualism's stated purpose is to help poor minority students learn English and other subjects, thus drawing them into society. But its effect will be the reverse. Under the current plans, there will be no serious attempt to teach a child English until long after his mind has grown out of its most flexible years. Grade schoolers will receive "basic instruction"—math, history, and science courses—in Spanish, Chinese, or whatever their "language of the home" is. If the student fails to learn English on a part-time basis by the end of grade school, attempts to teach it to him will essentially cease. He will then be placed in Spanish or Chinese basic instruction all the way through grade 12. He will be able to earn a valid high school diploma without knowing a single word of English.

Some of the goals of bilingualism—special help for poor Hispanic children, and preservation of Hispanic culture—are impossible to question. But unfortunately, as now designed, the one feature of Hispanic culture bilingualism is sure to preserve is poverty. Why do you think wetbacks work in sweatshops? If you've ever visited a sweatshop, or a lettuce field, you know that kind of work is much harder than jobs that pay ten times more. But it doesn't require the worker to communicate.

"If an Hispanic child leaves school not speaking English," says Rep. Edward Roybal, head of the Congressional Hispanic Caucus, "the best thing that can happen to him in life is manual labor, because that's all he's qualified for." By pretending that someone can get a decent job without knowing English, the bilingualism movement has become a menace to its own goals. How it got that way is a classic Washington story.

Remedies But No Cure

While progressive special programs for Hispanics and others are an established feature of a few scattered school systems, the educational hierarchy generally has treated language minorities as second-class citizens. That Hispanics have been shortchanged in school is proven merely by the fact that third-generation residents who can't speak English exist. Local schools have had their chance to address the problem in their own ways, and most have chosen to ignore it. With Spanish-speaking Hispanics growing in numbers faster than the population as a whole, it's hard not to conclude that some kind of federal involvement is needed.

In 1974, a group of Chinese-American parents sued the San Francisco school board. They argued that their children were being denied equal access to education because classes were presented in a language the children found incomprehensible. (One of them must have muttered, "It's all English to me.") To get the suit, called *Lau* v. *Nichols*, into a federal court, the parents used civil rights terminology, suggesting that the schools were denying their children equal access to education.

Whether or not instructing all students in one language is technically "discrimination," the parents obviously had a point. Teaching Chinese or Hispanic children algebra by speaking English loudly and slowly simply doesn't work. In deciding *Lau* v. *Nichols*, the Supreme Court rightly found that language-minority children deserve special help. The Court said that if local schools will not provide such help, the federal government must intervene. This should have been seen as a triumph for common-sense educational policy. Instead, it was seen as an enunciation of some unspecified but inalienable language "right."

The Court complicated things with the carefree, go-with-the-flow quality of its recommendations. Instead of ordering the obvious—special classes to teach Hispanics and others English as rapidly as pos-

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ILLUSTRATION BY ANNIE LUNSFORD

sible—it opened the door to whatever scheme the educational bureaucrats could concoct. "Teaching English to students who do not speak the language is one choice," the judges' opinion said. "Giving instruction in their native language is another. There may be others."

Following that firm leadership, the old HEW began issuing a series of semi-binding rules known as the "Lau Remedies." The Remedies were even less specific than the the Court's decision. "A school superintendent once called me and asked for clarification," said Jane Glickman, an Education Department spokesman whose specialty is bilingualism. "So I took a copy of the Remedies out, and started to read to him. I soon realized I couldn't make any sense out of them myself."

What the Remedies lacked in specifics, they made up for in buzzwords. It quickly was made clear that whether or not children were served, the buzzwords must be served, or federal funding would be cut off.

The paramount buzzwords were bilingualism and biculturalism. While many types of education have "bilingual" aspects, the only type satisfactory to the Lau Remedies was an hour or two a day of English instruction, with the rest of the day spent learning math and history in the native language.

Other basic strategies for teaching language minorities were rejected by Washington. In one, "English as a second language" (ESL), students get the same hour or two a day of English instruction, then spend the rest of their time in mainstream classes. In another, "immersion," students get English instruction almost all day long. (There is confusion, because some educators call ESL an immersion technique and some refer to HILT, for high-intensity language transition, instead of saying immersion.)

Most immersion strategies are bilingual in the sense that the teacher knows both English and the child's native language, and is sympathetic to his background. But they use the native language infrequently, and solely for the purpose of speeding transition to English.

The advantage Washington cites for its version of bilingualism, with emphasis on basic instruction in the native language, is that it keeps the child from falling behind

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his English-speaking peers in grade levels. The stigma of falling behind is thought to be a factor in the shocking dropout rate for Hispanics. According to the National Council on Educational Statistics, while ten percent of public-school students overall drop out, fully 39 percent of Hispanics do so.

Maintenance Department

Whatever merit bilingualism may have had as a means to teach English, it was quickly corrupted by teachers and bureaucrats. Pro-Hispanic groups immediately began to demand that bilingual teachers be "fluent," rather than "proficient," in Spanish. Since true fluency can be achieved only by speaking a language continually, this translated into a demand that only Hispanics be hired. Up to a point this was good, since Hispanic teachers have the understanding of their students' backgrounds that is a prerequisite for any successful teacher of any subject. But in the main it was bad. Many of the Spanish-fluent barely spoke English.

Thus Hispanic teachers realized that while bilingualism might doom their students to a life of poverty, it offered *them* a warm, secure future. There was another implication. "Fluency was the main tactic used by those who wanted to turn the bilingualism movement into a vehicle for separatism," said an Hispanic official of the Education Department. "Spanish-fluent teachers not only lacked the knowledge to teach English, they lacked the motive. They wanted students to stay in Spanish courses for good."

One study by the American Institutes for Research displayed this graphically. It found that 86 percent of bilingualism project directors said it was their policy to keep children in Spanish tracks *after* they were capable of making the jump to English.

This may have pleased Hispanic teachers, but not necessarily Hispanic parents. One parents' group sued a Long Island school system because it would not even *test* bilingual-track students to see if they were ready for the mainstream. It just assumed they would "dead end" in Spanish. Last year, according to *The Los Angeles Times*, several thousand Hispanic parents asked to have their children removed from federally endorsed bilingual programs because they thought it had become an obstacle to learning English.

Corruption of the Lau spirit advanced when HEW unveiled a new buzzword, "maintenance." Maintenance made the foot-dragging official; it held that even if a child mastered English, he should take some courses in Spanish anyway, to "maintain" his heritage. By this the regulators did not mean special courses in Spanish art or history, which would be a good idea for Anglos as well as Hispanics. They meant indefinite Spanish instruction in math and metal shop.

Next, the buzzword "deficiency" was rolled out. HEW suggested that any student "deficient" in English could opt into bilingual instruction. This remarkable contrivance would allow even Anglos to escape English classes. Given the sad state of today's schools, anyone shy of National Merit Scholar can be found "deficient" in English. "With the interpretations people were putting on 'deficiency,' things got out of hand," says Antonio Califa, head of Education's Office of Civil Rights. Students wishing to stay in Spanish or Chinese track could do so at will, merely by flunking a proficiency quiz.

This was not what the founders of the bilingualism movement envisioned. "Where we went wrong is that many educators wanted to institutionalize the language of the home all the way through college," Roybal says. "The purpose is to teach our children English. If the work is done properly, our children should not even have an accent. This foolishness of keeping a child in Spanish forever was never intended."

In these convolutions, Hispanic separatists began to see the possiblity of a permanent, equal-but-separate Spanish school system. The prospect pleased them. To help it along, they pressed for "biculturalism," the most diabolical buzzword of them all.

Aztec Tech

In biculturalism, Hispanic students (whether U.S. residents or recent immigrants) are kept in grasp of their ethnic heritage by extensive instruction in Hispanic history. They get to hear their side of the story of discrimination in America. Biculturalism also is supposed to instill sorely needed pride in barrio kids, by

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teaching them the impressive aspects of their heritage, like Aztec architecture.

But instead of using biculturalism to add an important dimension to a child's education, separatists used it to subtract necessities. Many bicultural classes were taught in lieu of American history and civics, which were dismissed as irrelevant. Hispanics were learning their distant past at the expense of being prepared for the rigors of day-to-day life in reality. What's the point of teaching someone more about the place he left than where he is?

Biculturalists defended themselves by guilt-tripping their critics into believing that opposition to school-imposed Hispanic culture is the same thing as opposition to Hispanic culture. Teaching English, and American history, is a device used to propagate "the myth of Anglo supremacy," according to Michael Olivas of Lulac National Education Service Centers, an influential Hispanic lobby.

It is as if Hispanic culture cannot exist without official sanction and federal funding. Yet many of the country's strongest ethnic groups have developed their own institutions to maintain culture, institutions that are independent from government and probably the stronger for it. Eastern and Southern Europeans, for instance, perpetuate their culture through organizations linked to the Catholic Church, which guard the old tongues. Many Jews go to great lengths to learn Yiddish or Hebrew knowing full well this has no practical value when taking a driver's test.

These efforts—successful efforts—to safeguard culture suggest a picture of ethnic diversity as a personal resource to be guarded by the individual, not the Treasury. Most ethnic cultures have been strengthened, not weakened, by their interaction with the general mainstream culture. In the traditional scheme, individuals looked out for their personal heritage, while schools concentrated on the priority task of teaching children to understand and participate in the mainstream life all share.

Biculturalism, too, has its separatist dark side. It encourages people to think of themselves as small, troubled factions, instead of members of a community. In school, it means withdrawing students into homogenized units where they see only people like themselves, instead of letting them meet and learn to live with others from different backgrounds, one of the most important lessons of life. Califa, once a backer of biculturalism, acknowledges: "It's just not the great idea that it seemed at the time."

To the HILT

The plan now pending is being sold as a retrenchment from some of bilingualism's finer follies. Yet Hufstedler herself hinted that it really is no such thing, calling the plan "not dramatically different" from the Lau Remedies, just more "specific." Examination of its "exit criteria" shows why.

The "exit criteria" are supposed to prod Hispanic students into the English mainstream as quickly as possible. But they have loopholes Pancho Villa could ride his entire army through. They say a student must leave Spanish tracking when "no longer limited-English-proficient," or *may* leave after five years. That sounds like a five-year limit, and Education Department officials don't go out of their way to correct the common misconception that it is. In fact the clause is nothing but an option—no more significant than saying a poor child *may* get a Fulbright Scholarship.

The five-year clause is restrictive only in one respect—that children may receive special help *in English specifically* for no more than five years. That, try to recall, is what the program was all about to begin with. Under the current plan, a student who still needs help learning English after five years cannot have it. He can, however, have all the lit classes in Choctaw he wants.

But such flaws pale before the core problem of Washington's bilingual dream: it doesn't teach English. Almost everywhere bilingualism has been tried, it has

"ALEKSANDR KRUGLOV, the Soviet soldier who burst into the U.S. Embassy in Afghanistan and sought asylum, 'voluntarily' decided to return to the USSR after meeting with the Soviet ambassador to Afghanistan, who reportedly promised no retaliation. We'll never know whether the Soviets will keep their promise, but if it's any consolation, before Kruglov left the Kabul Embassy he was given the private number of the U. S. Embassy in Moscow."

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accomplished little. Sandra Feldman, vice-president of the American Federation of Teachers, notes, "There is no evidence that bilingualism is any better than immersion." You can argue about education statistics, which are often inconclusive, but you cannot argue about the fact that Hispanic parents are going out of their way to pull children from bilingual programs. You also cannot argue that even theoretical support is being withdrawn from the idea. The Center for Applied Linguistics, an early advocate of bilingualism, now opposes it, after seeing the results of the initial programs.

The only effective way to teach a language is through immersion, something Berlitz has been proving for decades. No amount of pedagogical demagoguery can disguise the common-sense fact that the mind resists learning a new language. The mind must be assaulted through some form of immersion, whether ESL or HILT. If a child speaks English for one hour a day and Spanish for five in his classes, he goes home thinking in Spanish. "Immersion is the only solution," says Jeanne Burton, who teaches English to Southeast Asian refugees for Literacy Volunteers of America.

All serious federal language education is performed using some variation of the immersion technique. The famous Defense Language Institute in Monterey, California, teaches six hours a day, five days a week and often takes its students through "transition" to a new tongue in six months. Organizations like the Peace Corps and Foreign Service, even though they have the fantastic advantage of starting with unusually bright, well-educated candidates, find that only immersion is effective.

Traditional educators have been trying for years to explain away the effectiveness of immersion programs, but without success. While many resist extending the benefits of immersion to minorities, they seek them for themselves. When education luminary James Conant of Harvard, a foe of immersion, was appointed U.S. High Commissioner for Germany in 1953, he immediately signed up for a Berlitz course in German.

Of course, it is true that the immersion techniques do cause a child to slip behind temporarily in basic courses. But a realist will accept this as inevitable. When a child walks into first grade speaking only Span-

Your Muddled Masses

But what about the good old days—when the Golden Door, not the Golden Arches, was our dominant social institution? Didn't this language thing just take care of itself back then?

Yes it did, even though, numerically, language was a greater problem then than it is now. In 1980, according to the Census Bureau, there will be one immigrant for every 350 residents. One hundred years ago, there was one immigrant for every 180 residents. So what were we doing right back then that we're not doing now? Relying on immersion. It was immersion in a harsh form—everyone the immigrant met yelled at him in English. But since it was immersion it worked.

This is not a cause for unqualified nostalgia. Though immigrants then learned enough English to get by, many went no further. Given insufficient language help by the public schools, most were stuck with a life of hard labor, limited possibilities, and little grasp of the country's politics. Despite their best efforts, it took them longer than it should have to attain their place in the system.

No wonder so many immigrants lived the dream of "a better education for my children." Sons of German factory workers, once acclimated to American society through education, began to design and supervise factories. The immigrant's burning desire to work himself up is a vital contribution to society. English immersion in public schools would have helped make the good old days better, by giving immigrants the basic tool to add their skills to society faster. It can help in the same way today.

One belief that made immersion work then, and should be revived today, is that joining the community helps, not hurts, the individual. If there had been a bilingualism movement in the 1800s, you would now need the direct intervention of the United Nations to get across town in Pittsburgh. The country had more varieties of ethnic communities than it does today. But these diverse groups were sewn together by their eagerness to learn a common language, and find a way to get

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ish, he is already behind, so why not admit it? Attack the obvious problem first ("treat the symptom," as doctors say) and fill in the rest when you have that luxury.

To the poor child, English is more important than long division. Even a child must be able to communicate with the cop on the streetcorner. Knowing English is essential to avoiding being screwed by the system. And it's the entrance requirement for making money.

The immersion techniques are clearly superior to bilingualism and should be encouraged, mandated if need be, and funded if need be by the federal government. It's not practical, however, to single out any one method for exclusive use. If the sole educational problem were waves of immigrants stepping off the boat, then all-out HILT-type immersion would be the answer. Many second- and third-generation Hispanic children, though, come to school already knowing some English. For them, starting from scratch is not only unnecessary, but insulting. Many school systems find ESL works better with those who know a little English.

Liberals blanch at the thought of subjecting young children to English immersion, because they know it will be harsh and jarring. That's true—it is harsh. Certainly Hufstedler bilingualism will be "kinder" to the poor child in that it will not force on him an arduous, demanding task. Yet this act of "kindness" also does not instill the simple but seemingly unspeakable truth that a poor child must work considerably harder than a child of privilege to get anywhere in life. This is thought to be an unpleasant fact that poor children should not learn until it is too late.

As a result of the emotional states-rights versus civil-rights debate, conservatives refuse to grant a reasonable point—non-English-speaking children need special help. Pro-bilingualists also refuse to grant a reasonable point—Hufstedler-style bilingualism isn't the way to provide that help. When these two no-compromise positions clash, the fate of poor Hispanic children is the first thing to be forgotten.

"The debate has yet to move into educational substance," says Robert Canavan, a National Education Association lobbyist. Yet that debate has progressed almost to the final showdown. When it comes, if conservatives win, the whole thing will be forgotten, and the needs of poor Hispanics

along. By teaching everyone English and a common base of behavior, the melting pot made the U.S. efficient, allowing it to produce the wealth immigrants came seeking.

It is important to remember that the melting pot and its language served, not to quash ethnic cultures, but to organize them into a manageable form. America did not pound each newcomer into anonymous replication—its society was an evolving organism. The melting pot took a little bit from each culture and integrated it into an ever-changing whole, a whole unlike any of its components.

That's why Hispanics should not fear that their culture will vanish into the melting pot, never to be seen again (a prospect, of course, many right-wingers relish). Anything but. If Hispanics learn English and enter the system, they will become more like Anglos—as Anglos become more like them. Hang around Texas or New Mexico for, say, about 12 seconds, and see if you can detect a slight Spanish flavor.

There *is* one kind of bilingualism that is needed—not for Hispanics, but for Anglos. As Rep. Paul Simon points out in his new book, *The Tongue-Tied American*, Anglo-Americans have the dubious distinction of trailing the world in their knowledge of foreign tongues. As Simon notes, "Of the 11 million U.S. students seeking graduate and undergraduate degrees, fewer than 1 percent are studying languages used by three-fourths of the world's population."

In Europe, education in the tongues of one's border countries is considered common sense on the order of coming in out of the rain. We might have had the luxury of avoiding other languages when we had an isolated economy, but no more. America's major border tongue is Spanish—the dominant language of our hemisphere, and the language of one third of our trading partners. So while we start our no-excuses immersion program to teach Hispanics English, why not seize the opportunity to start a serious drive to teach Anglos Spanish? That's the way the melting pot would have handled it.

—*G.E.*

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will go unmet. If the Hufstedler plan wins, its flawed vision will be implemented without further debate.

"The merits of our program (as opposed to immersion) haven't occupied a lot of time in our discussions with Congress," Califa notes flatly.

Quebec to Basics

Despite the new conservative tide, victory for bilingualism seems likely. Reagan will no more be able to resist the hectoring of educational lobbyists, Education Department bureaucrats, pro-Hispanic groups and pro-bilingualism lawsuits, all promising to leave him in peace if only he will toss them a bilingual bone, than he was able to place his supposedly conservative beliefs in the way of the Teamsters' demand that he preserve trucking monopolies. Bilingualism, like Reagan, is a creature of modern special-interest politics—whose imperative states, annoy as few people as possible over the short run, foresake progress over the long run.

Then like it or not, in an America where English is an elective, poor Hispanics will stand a chance in life only if the country itself becomes dual-language, *a la* Canada, thus creating numerous new government jobs. Despite right-wing fear of bilingualism as a subterranean plot to make the U.S. a two-language state, this is not what most Hispanic leaders seek. It is, however, what they may get.

The civil-rights phraseology of most bilingualism rulings and regulations makes it all too dangerous that, considering the flights of fancy wafting out of federal courts these days, the right to an education in Spanish will get garbled into the right to Spanish.

Already, Spanish interpreters have been attached to many courts. Since there must be a guarantee of just treatment for Hispanics until schools teach them English, this is a vital interim action. But instead of being viewed as a temporary measure, it is seen by many as the first step to a dual-language court system. Bilingual social services are already mandated in several states, and bilingual legislative and regulatory agency functions would be next in line. Eighty-seven versions of the *Federal Register* will probably follow.

Every step building momentum for bilingualism will make it seem like less work for all concerned to just go ahead and make Spanish official.

A dual-language society wouldn't just be divisive, it'd be inefficient. More and more resources would be consigned to the unproductive business of explaining things, instead of the productive business of making things, causing society's net wealth to decline at the very moment that poor Hispanics demanded a greater share of it. You've heard the horror stories of Quebec, where even air-traffic control requires translation. Canada's situation shows how quickly what seem like comic fantasies can become reality. Via lawsuits and federal regulation, linguistic redundancy has spread to areas of Canada where it serves no purpose at all. In the Western provinces, the French-speaking population is indetectably small, but official buildings nonetheless must be staffed with interpreters. Two extraordinarily complicated multi-billion-dollar tar-sands oil recovery projects about to begin in Alberta, under backing from federal and provincial loans, may be required to print all their technical manuals in French and English, and have bilingual foremen.

The only way to prevent an inefficient, unhappy dual-language America is a dedicated and comprehensive program to immerse Hispanic children in English, giving them the tools to *take* their share of the wealth, instead of having to wait for grudging handouts. Yet nearly every political and government official I spoke to scoffed at the idea that such a program could be cranked up. One politician dismissed it as "politically impossible"—meaning, I suppose, that it would require leadership.

I was wondering, through the course of my research, why upper-class Anglos seem so willing to endorse this sad vision for America. One Education Department official opened my eyes to what, I fear, may be the true reason—racism. The official told me a serious English-immersion drive would be "making an impossible demand of the minority student."

What? It's "impossible"—not hard, not challenging, but "impossible"—for Hispanics and Laotians to do what generations before them have done with complete success? Yes, German and Russian and Italian kids learned English at double-time pace. But they're white folk. Surely you don't expect wetbacks and gooks to do the same?

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Tidbits & Outrages

"It's Just a Game," The County Coroner Noted

This magazine's editors are seldom ashamed to admit to being ardent football fans. Sometimes, however....

GREEN BAY, Wisc., Oct 9 (AP)—Chester Marcol, the place-kicker waived by the Green Bay Packers yesterday, said he played with a painkiller in a game last year and was told by the club's trainer not to reveal that the injury had occurred more than a week earlier, it was reported today.

The purpose of falsifying the account, Marcol reported, was to avoid a fine of $10,000 to $20,000 the Packers would have had to pay for not reporting the injury to the National Football League office.

Marcol said that kicking with a pulled groin muscle in a game against the Jets last Nov. 4 resulted in a tearing of that muscle. Marcol did not practice the week before the game. Instead he received treatment for the groin pull at Bellin Hospital. He said a nurse had tried to discourage him from playing against the Jets.

"She said, 'You're crazy. Look at those bruises. Look at your legs,' " Marcol said. "I said, 'I'm going to get Novocain and I'm going to do it.' The Saturday before the Jets game I was in the training room. Coach Starr asked me how I was doing, and I said fine. He said he wanted to see me personally. He asked me if I was going to be able to play, and I said there was no way unless I get loaded with Novocain.

"He said, 'Well, I guess you don't have any choice. We don't have anyone else to kick.'

"Sunday my wife cried so hard before the game," he said. "She asked me not to play. She knew how I was hurting. I had to prop up my leg just to get out of bed."

"It's Just a Game," Cardinal Richelieu Noted

When Ohio State University officials discovered that the national section of the program for the recent Ohio State-Indiana football game contained a sentence of mild criticism of OSU's basketball coach, they demanded that the offending page be removed.

To accomplish this, they hired a local printer, who in turn hired about 20 Kelly girls. "It must have taken them 80 hours of work 'round the clock," the printer said, to rip out the critical pages one by one, by hand. A total of 17,000 copies had to be expunged.

"Dykes Against Racism In Most Places" Was Unable to Send a Representative

Recently, Women's Pentagon Action, a protest group, held a march on the Pentagon to object to military spending.

Among the groups listed by Women's Pentagon Action as part of its coalition:

- Artists for Survival
- Women in Solar Energy
- Women & Life on Earth
- Coalition of Grassroots Women
- Coalition for a People's Alternative
- Lesbians United for Nonnuclear Activism
- Dykes Opposed to Nuclear Technology
- Dykes Against Racism Everywhere

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Joey, Marisa, and Monsieur Kita at the Swimming Pool Summit

Diary of an International Conference

by Roberta Gordon

The phone rang. "State Department here. Are you available as an interpreter this summer for six weeks?"

I looked out the window at the wisteria and bade it good-by. I'd finished teaching for the year and I needed money as usual. "Sure."

"You'll have to accompany two participants on a Labor Department tour, one from Mali and the other from Upper Volta. The guy from Mali is a big shot. $90 a day. You pay your expenses. You should

Roberta Gordon teaches French at Salem State College in Salem, Massachusetts.

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be in Washington by Sunday night."

I made a bee-line for the atlas, which said:

"MALI, Republic of. State of western Africa, formerly French Sudan; 4,745,000 inhabitants. Capital: Bamako. Official language: French. The North and center are part of the Sahara, with a nomadic economy.

"UPPER VOLTA, Republic of. Land-locked western African country, south of Mali. Population 4.6 million. Capital: Ouagadougou. Official language: French."

Sunday afternoon I arrived at Washington National Airport. I grabbed a cab and dashed over to the hotel, where I called the Team Escort, Joseph Vallejo. (He would supervise logistics and accompany the group throughout the tour.) Mr. Vallejo came down to the lobby.

"Where is my participant?" I wanted to know.

"Oh, you mean Marisa. Well, yesterday I picked her up at the airport. She was wearin' them platform shoes, thick-like, couldn't hardly walk, her feet hurt so bad. I took her across the street to the drugstore to buy some rubber sandals and she bumps into her cousin. Just like that! One of them colored guys with sunglasses, from her embassy. So she gets into a car with him and takes off. The guy says to me he'll bring her back tomorrow."

"What am I supposed to do?"

"There's no program for a coupla days yet. You just check your bags then come have dinner with me honey. Don't you worry. Everybody has a good time with Joey. Never had no complaints. You want to come to my room and have a drink? No hanky-panky. But I am lucky to get a good-lookin' gal as my interpreter."

He stepped toward me, arms outstretched. He was a kind old man. I picked up my luggage. "I'll meet you for dinner, if you'd like," I said. We went to a small Italian restaurant near the hotel and I was treated to Joey's monologue.

"I'm sevty five," Joey said, "retired five years. Used to be a miner, when I was young, then I became a machinist. I was wif John L. Lewis, them boys. They was tough. I was one of the few spoke Spanish, in them days, so's they ask me to organize a union. When it was all over, Jack Kennedy invited me to the White House. At home I gotta pitcher of me dancin' with Jackie. Smilin' to beat the band, the two of us.

"So, onc't a year, my buddies in Labor call me up. Escort this tour here, Joey, ten Latinos and a bunch of other assorted folks, coupla labor conventions, and we fixed up a coupla real nice hotels fer ya.

"As soon's I git off the plane in Washington, I buy me a quart of grapefruit juice and a bottle of vodka. Stay a lil juiced fer a month, holds me fer a year. Git paid good by them boys over in Labor. They wants to do sunfin fer the UMW, and they shore is doin sunfin nice fer Joey."

One Man, One Volta

Marisa, who finally rolled in on Monday afternoon, was a beauty. Glossy black straightened hair, framing a cat-like face. She was very tall, 5'10" plus platform shoes, the posture of a queen, or of someone used to carrying things on her head. Marisa greeted me perfunctorily, looking at me with the sort of glance you give to furniture you are dusting.

"Welcome to the United States," I said feebly.

Her African costume was sensational. It was made of two pink dresses, the second one transparent and falling like an outline over the first, a batiked and wrapped sheath. Crisp white embroidery around a fitted neckline and armholes, her oval black head and willowy arms almost too fragile for so much clothing. Marisa looked at my white summer dress and, curling her lips very slightly, said, "Do you work for the Red Cross, too?"

"Lots of people have told me about the United States," she declared, "so I'm not going to learn anything here."

"Are you hungry?" I asked. "Would you like to go to the hotel restaurant?" We sat in a booth, facing one another.

"I'm going to order chicken everywhere. Everything else here is saturated with chemicals and covered with sugar. In Upper Volta, *we* use salt."

When her fried chicken came, she scraped off the corn-meal batter. When the waitress brought her Coca-Cola, she sent it back.

"No ice!" She twitched a warning finger at the waitress. "In America," she explained to me, "they try never to give you what you pay for. Filling the glass with ice and giving you a thimbleful of cola is a good example."

"Coca-Cola is saturated with sugar," I pointed out.

"That's different. It's a drink!"

I tried to change the subject. "Have you ever been abroad before?"

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"To Hungary and Jordan. My union is the only non-communist union in Upper Volta; foreign governments love us. My union is made up of all the women workers in the country who are organized. I'm the vice president. My cousin the President sent me here to try to get a women's sewing-machine shop.

"I'm an export secretary, but as you can see by my last name, I come from the royal family. I played on the national women's volleyball team in the 1970 African Games. I've been to lots of labor conferences, and I suppose this will be the worst."

"Why?"

"The American labor movement sold itself out years ago. I don't suppose you're a member of a union?"

"No, usually I'm a college French teacher."

"Intellectuals are always sell-outs," she said with finality.

"You pay the check, I'm going to take a nap now." She threw a five-dollar bill on the table and swirled off.

After a short day of orientation meetings in Washington, we flew up to Ithaca, New York where we would attend a seminar at the School of Industrial and Labor Relations of Cornell University.

Guillermo, the Spanish interpreter, asked me to have breakfast with him. Guillermo was overweight, and had a wispy black mustache and sad, intelligent brown eyes. He sold high-protein diet food when not working for State. He hated the fact that Joey didn't insist on luxury hotels. Many Team Escorts arranged their own hotels and got discounts at the best places, he said. The boys in Labor, of whom Joey thought so highly, had stuck us with some real dumps. Labor thought that Joey would like to take home the money he saved from his per diem allowance, and so they did him a favor by finding the cheapest hotels in town. Joey didn't care about the money, but he didn't care about the hotels either. According to Guillermo, who worked with him once a year, all he cared about was getting blotto every couple of days.

Guillermo and I walked up to the school and went into the conference room. I didn't have to transmit to Marisa through a microphone, since there was only one of her, but poor Guillermo had to branch up ten Latins. There were about ten other folks from the Arabic world, most of whom spoke some English.

It had been a year since I interpreted. I forgot that most of the participants didn't have earphones on. When Marisa introduced herself, I did a simultaneous translation of her speech. We were both talking at once, Marisa getting louder and louder. The other participants looked at me with anguish. Finally Joey stopped the proceedings and told me to do a consecutive translation. (Marisa said a paragraph, then I delivered it in English while she paused.) Was I embarrassed!

The translator's art is ancient magic, turning dross into gold. When I interpret, I unhinge my personality from my mouth. Then I create a superhighway from my ear through the center of my brain. In the center, there are vast superimposed cloverleafs, different decks like the approaches to the George Washington Bridge. Someone sends a message into my ear in French, let's say. I send it shooting down the highways, over the underpass, make a left turn, get on the upper deck, and I switch it across the river into New Jersey, in English. First you see a '72 navy blue Buick Riviera, on this side of the river and, in a few minutes, a '72 Buick Riviera, in fire engine red, on that side.

Do I listen to the meaning? If I am interested in the subject, I listen. Otherwise I just re-align the phrases so they will come out right in the other language. The worst thing about English-into-French is that the adjectives are in the wrong place, so you have to hold the adjective, however silly and futile an adjective it may be, until the English-speaker gives you its noun so that you can get the gender right. If this happens too slowly, you may drop behind, losing an idea or two. You're the only one who knows it. No one except another interpreter can check on you.

The delegate from Mali, Monsieur Kita, arrived in time to catch the afternoon session. As he explained to me, he had been consul in Washington for ten years. Why should he bother to go to Washington for orientation?

Kita was a big shot. His embassy had called three times that morning to make sure he was met at the airport and escorted to the hotel by the highest ranking State Department officer. Joey had gone out to get him, dropped him off at the seminar, and then called Washington to discover Kita's connection with organized labor.

"I caint hep it," Joey said. "I smelt cop." Kita was in fact a member of the president's cabinet, and a former officer in the French army. Educated in France and reputed to speak excellent English, he had

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to have an interpreter as a "matter of protocol."

However, as I told Joey, I could see that I was going to like Kita. What I couldn't figure out was why he was here. Okay, Marisa wanted a sewing-machine shop for her cousin. What did Kita want? Joey shrugged.

Tippecanoe and Tombouctou

The next day the participants had a day of classes on interpersonal relations in the work place. The lecturer was introduced as Doctor Kleinhardt. She launched into her subject with gusto, putting circles and squares on the board from time to time to illustrate how folks get along. She picked an example to show that people have a large vocabulary for issues that concern them deeply.

"The Eskimos have 93 words for snow. The Arabs have 204 words to describe camels."

Stunned silence. Then the Arabs at the conference went into a huddle.

The head of the Tunisian Airline Workers Federation, dressed in an Yves St. Laurent suit and silk tie, stood up. "The delegate from Morocco weeshes me to speak on behalf of the Arab world," he said. The delegate from Morocco, a stocky man who spoke fluent German, nodded sagely. "In the Arab world we have very good roads. Excellent. Better than roads delegates have seen here in Washington United States. Many roads wide and black. Americans think we are primitive, all they have seen is movie *Lawrence of Arabia*. Is not so. Not so!"

He was warming up to his subject. His mustache began squirming around his upper lip.

"Camel now it is sport. Racing sport like your horses. Otherwise many cars, Cadillacs. Arab world is respectfully asking apology." He sat down, very agitated.

Guillermo translated this into Spanish while I translated it into French. I noted a look of amusement on Monsieur Kita's face. I gathered that the Sudanese to my right had long ago resigned himself to a tour among the Yahoos and regarded this protest as a sign of immaturity.

"I didn't mean to offend," Kleinhardt said. "I picked an example at random. The Arab world is very remote for us Americans, as far away and dusty as Timbuktu."

Kita rose to his feet, gathered in his blue satin robes. He assumed the bearing of a French cavalry officer. He tapped me on the shoulder, then told me to interpret his speech.

"Madame," he said, "I do not wish to be rude, but *Tombouctou* is my birthplace. It is one of the principal crossroads of modern Africa and, if you have a chance to visit my native land, you will have the pleasure of staying at the Tombouctou Hilton, unless you would give us, madame, the pleasure of inviting you to our humble home." He sat down and straightened his robe over his knees. The other delegates all began speaking at once, offering their hospitality too. Kleinhardt was overwhelmed. The delegates from Algeria and Morocco sat back in their chairs, glowering, their arms folded hard against their chests.

Nile Blues

After Ithaca, the Communications Workers of America invited us to Kansas City for their convention. We were received in grand style, put in a special viewing box marked "Foreign Visitors." An official from the Labor Department flew out from Washington to give our group a briefing. "Here you will see democracy in action," he said. Then he had his picture taken with us for the local paper, and left.

We settled in on the second floor of the vast Municipal Auditorium. Some 5,000 people milled around below. I set up Marisa and Monsieur Kita on their branches of the transistorized sending outfit provided by the State Department. I sat across the aisle, whispering into a microphone.

Kita stretched out his legs, adjusted the earplug comfortably and went to sleep. (Democracy was in all likelihood not a problem in Mali.)

I watched him until the voting began on the floor. The question was announced and then, without any debate, the union delegates went down alphabetically by state to voice their vote.

"What's up?" I whispered to Guillermo across the aisle.

"They've already decided everything in caucus," he said. "The plenary session is just the official seal of approval."

He too lay back, the microphone resting

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on his lips, and closed his eyes. I wondered how he could translate with his eyes closed. I realized that he had gone to sleep.

I tried to follow the motions on the floor, which were on the question of telephone equipment owned by the consumer (against) and $16 per hour wages for telephone linemen (for), translating away, throwing in my own explanations to entertain myself. This went on all morning. Then suddenly, I felt beside me some people who were watching me. I looked up. The State official, some bigwigs and Vice-President Walter Mondale were standing behind us. Everyone was snoozing but me. Fortunately, the lunch break was announced, Mondale took off and Guillermo was awakened by the general commotion.

"You," Marisa said to me as we were leaving the convention hall. "You have lunch with me today." Usually she couldn't stand to be with me. What was up?

I had noticed a rare book shop and two pawn shops near the Auditorium, and that was where I would spend my lunch hour.

"I'm sorry Marisa, but I'm busy."

"You are supposed to follow me whenever you can, aren't you?"

She thinks I'm a spy. "Who told you that?"

She looked puzzled."No?"

"*My* job is to translate the official proceedings whenever the group meets. Other than that, I have no obligations."

"How will I order lunch for myself?"

"Order chicken. Go to the hotel dining room." I pointed across the street. Marisa arched her neck, sniffed. She was too proud to say she was lonely. I felt sorry for her, but I felt sorrier for myself. Lunch with any of the participants meant that I, the interpreter, would order for everyone, after translating the entire menu, defending American food (which is rotten, compared to that of any other country in the world, even the Blue Nile where they chop the raw meat off the living cattle). Then at the end I would have to divide the check, justify the price, make change for everyone, persuade them to leave a tip (capitalism!) and then pay the cashier.

When I returned to the hall an hour later, Kita was back, but no Marisa. I hooked the two of us up, and began interpreting. Another hour went by. Guillermo asked me where Marisa was. Three o'clock. Joey came sailing in and counted heads. Where was Marisa?

At five, we finally went back to our Holiday Inn near the old airport. Marisa was waiting for us in the lobby.

"It's your fault!" she shouted at me. The delegates melted away, running for cover, Kita the fleetest-footed of all.

"I went to the hotel and ordered chicken, but the waitress refused to serve me, because I am black, I suppose. So I decided to come back to the Holiday Inn. The taxi driver took me to the Holiday Inn. I went to my room, opened the door with my key, and there was a couple making love on my bed. I ordered them to get out. They screamed at me in English. Then I looked around and saw that, although it was the same room, with the same furniture and the same pictures, none of my clothes were there. Then I understood that all hotels are alike in America and I was in the wrong one. Nobody spoke any French so I got into another taxi and this time I showed the key to the driver, who took me to *this* Holiday Inn. I haven't had lunch yet!"

"Come to the dining room and I'll order lunch for you. I'm sorry you had trouble."

"You eat with me this time," she ordered.

"Please excuse me, Marisa, but I'm too tired. I've been working for nine hours. My throat hurts."

"Then I won't eat!"

Activated Filter

From Kansas City we flew to Atlanta, where I finally found out why Monsieur Kita was on the tour. The group was sent to see an AFL-CIO Manpower Training Center, a vocational school installed in a former Cadillac dealership. There, minority workers were learning to qualify for apprenticeships in lathing, plastering, carpentry and a few other specialties, we were told. The place was deserted, except for the few union officials who were delegated to show us around.

Kita called me to one side. "I have a delicate problem," he said. "I need your advice. There's a question I want to ask. But I don't want the other delegates to hear and I want to understand the answer."

Kita pointed to the head of the Center, a tall man with a beer-belly popping out of a white-on-white shirt.

We approached him, me with my notebook and dictionary, Kita in voluminous brown robes batiked and embroidered in white, at my side.

"Ask him if he knows a lot about construction," Kita said. "Politely, of

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course, with a lot of embellishment."

Yes, he did.

"Does he know anything about swimming pools?"

"Yes, indeedy."

"Well," said Kita. "My friend the American ambassador to Ghana has an excellent filter for his swimming pool. Works day and night, without a problem. Mechanics are scarce in Bamako. It's better to throw things away than to fix them.

"Would you ask this gentleman," said Kita, "you see, for my second villa... I am tired of having the boys empty the pool every time we get pincerbugs in the pool at my house in town... so for my second villa I would like an American swimming pool filter and pump. Price is no problem. Shipping is no problem either. The Ambassador will be going from New York to Bamako soon and he can bring it. What is the best American filter and pump?"

I translated.

"What size pool he got in this here second villa?"

I asked Monsieur Kita and he made the calculation from meters to feet very quickly. It came out to a fantastic size, greater than an Olympic.

The man took out a crumpled white hanky and blotted his forehead. Disbelief was written on his face. Kita smiled apologetically. "Tell him we have lots of space in Mali."

The Center director said, "Begging yo pardon, ma'am, he ain't gonna find no private filter company with a filter that big. Tell him to go to one of them athletic supply houses."

I translated his last remarks. The delegate from Jordan had appeared out of nowhere and overheard the tail end of the conversation. He spoke to Kita in Arabic.

Kita said, "The gentleman from Jordan says there's no point asking the Americans for that kind of thing. I'd better get it in Saudi Arabia."

Ouagadougou to You, Too

In New York, the last leg of the tour, Marisa stopped eating completely. There were no organized events, so Joey and I wound up our paper work. The participants were supposed to be on their own, given a paid holiday to go shopping and entertain themselves. Unfortunately, our hotel was in the middle of Times Square and a ravening fauna of prostitutes and peddlers waited outside the door day and night. It was July first and the city was otherwise almost deserted. One by one the participants took their departing flights. Kita slept uptown in the Malian consulate.

After a day and night in New York cloistered in her room, Marisa made it understood that she wanted to go home early. She couldn't stand New York.

Joey explained through me that she had already been paid the per diem for the following week and would have to return it. Marisa shouted that all Americans cared about was money.

I told Joey she didn't care about the money.

Joey said to me, "Confidentially honey, if we call Labor or State on July Fourth weekend, they'll tell us to go hang. Try to keep her here."

I said, "Marisa, they'd like you to stay until your arranged departure since it is very hard to change tickets through the government."

Marisa said, "You change it. The U.S. is supposed to be so powerful. I want to see my consul!"

I called Kita up at his embassy and explained. "I'll be down with the chauffeur," he said. "We'll go over to the U.N. But frankly, the delegate from Upper Volta is only a *fils a papa*. Boissu's his name. He couldn't move a cocktail glass."

Kita picked us up and took us to the U.N., where Boissu met us in the Delegates' Lounge. He was in his twenties, wearing aviator sunglasses and a tight black suit. He eyed me up and down, but barely glanced at Marisa. Large numbers of Third World people in sunglasses were hanging around drinking cocktails. It was 11 a.m.

Marisa began to screech. Boissu hustled her behind a paneled screen painted with herons. He left her there and came back. He said to me and Kita, "If we could just get rid of her, we could have a nice lunch."

Kita clucked sympathetically and turned his palms up. "Next time, my brother." Then he, Marisa and I piled into the chauffeur-driven car, a 1965 Ford with the springs popping out of the upholstery in the back seat, and we went uptown to UTA French Airlines, where Marisa's ticket was issued. They spoke French, and she could remonstrate with them on her own.

At UTA we discovered that they had lost, or the State Department had never obtained, confirmation of Marisa's origi-

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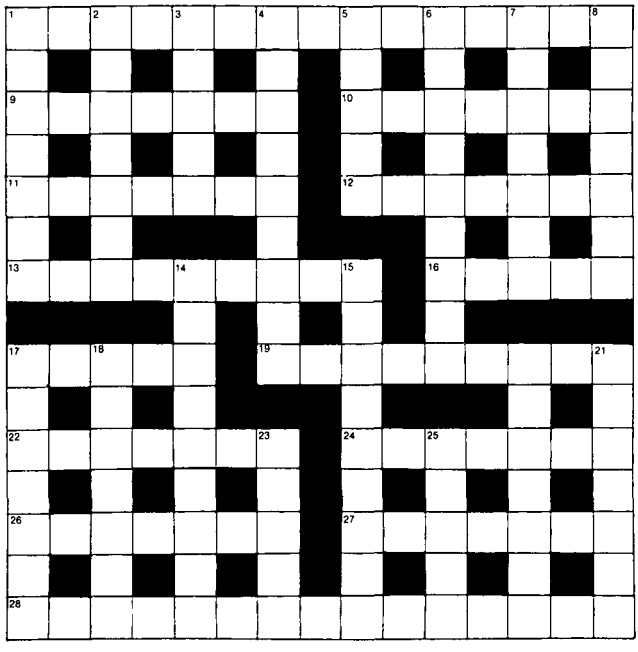
the political puzzle

by John Barclay



The numbers indicate the number of letters and words, e.g., (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word.

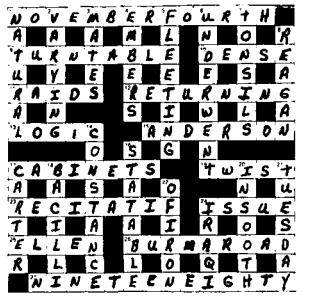
ACROSS

1. GOP members may cry, but not about this victory. (10, 5)
9. Gets the attention of confused starers. (7)
10. Someone different in bizarre tea dive. (7)
11. Bring life in a team organization. (7)
12. Substitutes for bellmen? (7)
13. Guessed about tec's dupes. (9)
16. Not as hard; indeed pleased in the end. (5)
17. Trunk, or part of one. (5)
19. Ten cranes confused but coming back. (9)
22. Expel our date clumsily. (4,3)
24. Current thought around the mine. (2,5)
26. Somehow met nine VIPs. (7)
27. No tables set up for religious persons. (7)
28. State modern case anew for victims of 1 across. (6,9)

DOWN

1. Show anger as they move in on January 21. (7)
2. Democrats and Republicans arranged for a priest. (7)
3. Roving Arabs find home in Iraq. (5)
4. Police officer is high, not prices anyway. (9)
5. Find passion in bastard orchestra. (5)
6. Arrange to assess even the sailor's world. (5,4)
7. Rears somehow between points cover-up aids. (7)
8. Satisfied by pedestal not fixed up. (7)
14. Faithful dog in text arrangement is outgoing. (9)
15. Like a tooth Ford met in strange way. (9)
17. Confused tracers of lost persons. (7)
18. Excitement about one tail. (7)
20. Where mourning leads? (7)
21. Locks on seers' street. (7)
23. Carried message for Kennedy. (5)
25. Had a purpose in delicate license. (5)

Answers to November's puzzle:



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nal booking. In other words, not only could Marisa not get an earlier plane, she had no reservations at all. What was worse, UTA had no Telex. All reservations were done by mail through Paris. One week's wait at the least. With all the African students leaving Paris to go home for the summer, there was probably not another available seat before September, the UTA agent explained. Marisa turned ashen. She began to pull at her hair. Kita ordered the chauffeur to take us to Air France. Anything to give an appearance of solving the problem.

At Air France, the ticket agent invited Marisa to sit next to her and then called up on the display all the flights from Paris to Ouagadougou (only two a week) for the summer. They were all booked. Marisa could read the display for herself. She began to rock back and forth.

By now it was two o'clock. We were obligated to go to a program arranged for the group, so we had the chauffeur take us back downtown to the African Unity Foundation.

Joey dismissed me; the foundation had its own interpreters, so I was off the hook. I went to the outer office to wait. One of the foundation officers came out after awhile, a young and chic black woman named Thompson.

"What did you do to that woman from Upper Volta? She sure has it in for you!"

I explained all about Marisa's ticket.

"You know, folks from small countries think the representatives of the government are the government itself," Thompson said. "Let's call Bob Shane. He books all our travel. Maybe he can bail you out. He's completely unethical."

I took a cab to a little basement office in an old brownstone. Three people were working at three desks which occupied all the available space. The walls were covered with racks of brochures. Three telephones rang almost in unison.

"I'm Shane. I can do anything!" a man shouted to me over the din. "Where's her ticket?"

He called the airlines, and verified that the case was hopeless. Then he booked Marisa on a 7 p.m. flight to Paris. Next to the portion of the ticket which said "UTA Paris to Ouagadougou," he wrote, "O.K."

"O.K.?" I asked. "Where did you get an O.K.?"

"For future reference," Shane explained, "UTA bookings take up to two weeks to make. You have to call them back twenty times. Then you load your customer on the plane, and she gets bumped because of some bonzo who's a judge, or else his cousin's the secretary to the chief of police. So, confirmed or unconfirmed, the reservation is mostly a question of getting on the plane before the other passengers, buckling up, and waiting.

"These Africans keep lousy records. Or let's put it this way, they learned how to run an airline from the French. Air Chance. So I put 'confirmed' on her ticket. Who's gonna know? Now, when she gets to Paris tonight, she's gotta confirm immediately. On Sunday she has to be at the airport to check in six hours before flight time. Even then, I don't say it will work."

"So she'll be in Paris all by herself, on her own, if it doesn't work?"

"She speaks French, doesn't she? And she must have some relatives in Paris."

I felt a twinge of conscience—but what if Marisa *was* suicidal and had to get out of New York? I took her at her word.

Joey telephoned me at Shane's office. Was Marisa packed? Shane wanted to know. Joey muttered, "Hasn't *un*packed since she's been in New York."

"Joey," I said, "Hang on a little while longer and we'll get her out on the 7 o'clock plane to Paris. Do you have any money for her?"

"I'll give her a fifty from the boys at Labor. She already has next week's per diem from State. Anything to get her out."

Then Kita got on the phone. I brought him up to date and thanked him. "What about you?" I asked. "Do you want me to get reservations for you while I'm here?"

Kita chuckled. "In Mali, the government owns the airline. I am part of the government. Would someone keep me out of my own house? Don't worry about me. I can leave on whatever flight I want. Stop by and see us sometime in Bamako."

I stopped at Bloomingdale's and bought a bottle of Hermes cologne for him and one for Joey. I bought Marisa a scarf and had it gift-wrapped. Then I went back to the hotel, left the gifts and Marisa's ticket with a note for Joey. The note said, "Joey dear. Since Marisa and Monsieur Kita are provided for, I am going home. Thanks for everything."

I got my luggage, checked out, took a cab to the airport and flew home. A few days later I got a letter from Joey. "You're a good gal. Joey. P.S. Marisa was smiling when she got on the plane. Hope she stays home next time." ■

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Who's Who in the Administration

This magazine has been conspicuously uninfluential over the years in trying to convince successive administrations that what sounds like a good idea—"cabinet government"—is really a terrible idea. Since **Ronald Reagan** appears to be its latest victim, here, one more time, is why it won't work: Our cabinet departments are either organized to serve the needs of specific constituencies, or quickly become captured by them—while the nation's problems cut across department lines. Cabinet secretaries start out thinking nationally, but soon, if they are to maintain the good will of the employees working under them, and the favor of interest groups who will applaud them at conventions or give them jobs when Reagan leaves office, they will become prisoners too.... So the President desperately needs a White House staff that instead of acting as a "backup to the Cabinet"—as Reagan wants—will give him sound, loyal advice on how to sort through (or fight off) the competing demands of the Cabinet.... The turnover in appointed positions in the months ahead will obviously be somewhat larger than is indicated by this issue's Who's Who. But below you will find the names of some of the officials who were prudent enough to make arrangements in advance....

In

ENERGY

Acting Deputy Secretary—**Lynn R. Coleman** has been the department's general counsel.

LABOR

Deputy Director, Office of Workers' Compensation Programs—**Lawrence W. Rogers, Jr.** has been deputy assistant secretary for operations at the Department of Education.

AGENCIES AND COMMISSIONS

Federal Energy Regulatory Commission
Commissioner—**John David Hughes** has been chief of the Energy Division of the Texas Attorney General's office.

Postal Rate Commission
Commissioner—**Janet Dempsey Steiger** has been a research associate at the National Academy for Public Administration.

Synthetic Fuels Corporation
Acting Director for Project Development and Management—**Larry Lukens** has been Deputy Assistant Secretary for Resource Applications in the Department of Energy.

Out

White House
Advisor to the President on Inflation—**Alfred E. Kahn** will return to Cornell University as professor of economics.

Assistant Director for Legislative Affairs, Office of Management and Budget—**Hubert L. Harris, Jr.** has been named executive vice president of the Associated Builders and Contractors.

Commerce
Deputy Secretary—**Luther Hodges, Jr.** has been named Chairman of the Board and chief executive officer of the National Bank of Washington.

Justice
Executive Assistant Director, FBI—**Kenneth Joseph,** who has been in charge of the FBI Law Enforcement Services, has retired.

State
Special Adviser to the Secretary for Soviet Affairs—**Marshall D. Shulman** will return to teach at Columbia University.

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Nicholas Lemann on Political Books

I smoked marijuana for the first time on November 1, 1969, in my father's tool shed. I mention it because I remember the exact date of no other rite of passage in my life, although, eleven years later, it's clear to me that a dozen others were far more important. But the reason I remember is that at the time I was convinced that the decision to smoke marijuana was the biggest one I had ever made.

That seems silly now, I know, but it's worth explaining why I felt that way. At that time and in that place (New Orleans), smoking marijuana put you firmly outside the bounds of normal society. In retrospect this was not at all the case—I was a good student and perfectly respectable in all other ways—but then, everyone was certain that if he were caught, he would surely go to jail for a long time. So I was suddenly an outlaw. I felt, on the one hand, at odds with the established order, and on the other hand not lonely at all, because with one match I had joined a secret brotherhood of millions of other outlaws with whom I could share sly, secret winks and nods on the street, a taste in music and art and dress, and what seemed like a hundred other cultural links.

My situation was completely different from that of people who drank during Prohibition. I saw marijuana smoking as a serious political act, rather than a way of kicking up my heels. To me in 1969, the mainstream political culture meant, on a national level, the Vietnam war, and locally, racial segregation. The marijuana laws themselves were ample proof of the total injustice of the system. I marched and rallied and licked envelopes for liberals whenever I could, of course, but I was 15 and too young for really serious protest. Marijuana was my way of stepping over the line. I was glad to be an outlaw.

The other reason I thought marijuana was so important was that I actually believed, as did the friends with whom I smoked, that it would give me new mental powers. I took the quickening of the blood that marijuana brought me for a super-receptivity to the world around me; the giddy, floating feeling for a new level of consciousness; the volubility for intellectual insight; and the us-versus-them suspicion I felt for political sagacity. If everyone smoked marijuana, I thought, the world would be a better place—more relaxed, more peaceful, more creative, more loving.

Had marijuana been legal, of course, it would have loomed far less large in my consciousness. Had it been legal, I would have been willing to listen to people who debunked the extravagant attitudes about it that I held. But as it was, I thought of even the slightest doubt about marijuana as being synonymous with the desire to put people who used it in jail. So if marijuana really wasn't all that I thought it was, I had to find that out for myself.

In the summer of 1970 my best friend went to Lawrence, Kansas, where the government had planted marijuana fields during World War II as a source of hemp for rope, and returned with a pillowcase full of the stuff. We were in clover. Now we could jump headfirst into the new age. For about a month, the pillowcase full of marijuana was the center of our lives. We

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Nicholas Lemann is a reporter for The Washington Post, *and a contributing editor of* The Washington Monthly.

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cured it, purified it, elaborately hid it, and smoked it incessantly. By the end of the month, to my great surprise, I had achieved almost exactly the dull-witted state that I attributed to middle-age drinkers. I couldn't remember things. I stopped reading books. I would trail off in mid-sentence. I didn't feel like doing anything. Not liking all that, I began to taper off. By the time I got to college I was no longer much of a dope-smoker; now I don't smoke at all. The story was the same with most of my friends, although some of them spent years as daily users, and of them a few essentially wasted most of that time as a result. So I don't believe all that stuff any more.

In fact, the only thing I believed then about marijuana that I still believe today is that it should be legal. If it isn't any better than alcohol, I've never seen anything that indicated to me that it was any worse either. The liquor laws prove that the government can legalize and regulate a drug without in the least encouraging its use; the government can do the same with marijuana.

It was to this moderately noble cause that Keith Stroup, the founder of the National Organization for the Reform of Marijuana Laws, devoted his life in the 1970s. Patrick Anderson's *High in America** is Stroup's story.

Stroup and his friends obviously have given Anderson enough hours of extremely frank interviews to allow for the construction of a narrative rich in characterization and detail, and Anderson has about 90 percent avoided the pitfall of therefore seeing the world completely through their eyes. As a result, his Stroup is, unlike most journalistic subjects, a real person: a Midwestern small-town boy who came to Washington and started NORML out of the mix of idealism and the desire to be a famous big shot that's so common here and so rarely described well; a man whose own use of drugs got to the point where it stood squarely in the way of his cause; a talented Mr. Outside in matters of political strategy who tried to become a Mr. Inside and quickly fell.

When Jimmy Carter took office, Stroup, after several years of struggling, had won several victories in state legislatures and the lavish patronage of Hugh Hefner. Stroup had initially ingratiated himself with Hefner by using an old Washington trick: get in good with the executive assistant who controls access to the boss. This being *Playboy*, Stroup did so by sleeping with her—as, apparently, did other supplicants to Hefner over the years. Then Hefner discovered that marijuana improved his sex life, and the flow of *Playboy* money to NORML became a torrent.

All this made Stroup swell-headed. Carter, meanwhile, was surrounded by outlanders who were fascinated by the glamorous world in which Stroup now lived, and who smoked marijuana themselves, but who lacked the political passion and courage that would be required to change the laws. In particular, Carter's drug advisor, Peter Bourne, in his heart must have wanted to change the marijuana laws; but he also lived in fear of attracting the vengeful wrath of Hamilton Jordan and Jody Powell that a high profile was certain to bring.

From that situation emerged a strange relationship between Stroup and the administration. The Carter people used Stroup for his parties and his constituency, but didn't come through with the substantive policy goods. Stroup used his ties to the Carter people to add to his own luster, while growing more and more frustrated with the non-achievement of his organization's goals. As a result, Stroup, who had spent the five years before Carter as an outsider in Washington, working the state legislatures, now concentrated his energies on the White House. And the White House concentrated *its* energies on fending off Stroup. Instead of either side doing the hard grassroots work that would bring real reform, they spent their time chasing each other in circles all over Washington.

Thus the later scenes in the book are party scenes: Stroup partying with Chip Carter; Bourne committing the fatal error of taking cocaine with Stroup at a NORML party; Stroup arranging indirectly for a pie to be thrown at an anti-marijuana Capitol Hill staff member; parties with rock stars; parties with rich kids; parties with White House aides. In the end Stroup blew the whistle on Bourne's use of cocaine, and the political careers of both men were so caught up in the mad whirl that you get the feeling they noticed only incidentally that for all that Washington activity, nothing was really happening. ■

**High In America: The True Story Behind NORML and the Politics of Marijuana.* Patrick Anderson. Viking, $13.95.

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Public affairs books to be published in December.

political book notes

The American Economy in Transition. *Martin Feldstein, ed. Univ. of Chicago, $20.*

Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy. *Henry Shue. Princeton, $17.50.*

Children of Strangers: The Stories of a Black Family. *Kathryn L. Morgan. Temple Univ., $9.95.*

Coping With Proposition 13. *Roger L. Kemp. Lexington, $21.95.* Kemp, a former Oakland city manager and OMB official, advises government on how to cope with and/or get around revenue-reducing mandates. His best advice is advance planning—prepare alternate budgets and make well-publicized noise about services cutbacks that will result.

As Kemp ably documents, tax-cut commandos like Howard Jarvis may have won the battle (not nearly as bloody as predicted), but lost the war to "tax shift." Prop. 13 did achieve reduction of property taxes and constraints on future increases. Lost revenue has been substantially replaced, however, by redistribution of state surpluses, increased local taxes, and new user fees. There have been only marginal reductions in public services, or cost to taxpayers.

—*Pat Martin*

Cover Up: What You *Are Not* Supposed to Know About Nuclear Power. *Karl Grossman. Franklin Watts, $11.95.*

The Diplomacy of Silence: The American Foreign Service, the Soviet Union, and the Cold War, 1933-1947. *Hugh De Santis. Univ. of Chicago, $23.*

The Harvard Crimson Anthology: 100 years at Harvard. *Greg Lawless, ed. Houghton Mifflin, $12.95.*

How We Play the Game: Why Sports Dominate American Life. *Richard Lipsky. Basic, $12.95.*

The Ministry of Culture: Connections Among Art, Money and Politics. *Michael M. Mooney. Simon & Schuster, $14.95.* Somebody must have slipped Mooney some of that bad acid they warned us about at Woodstock. According to his "extraordinary expose," America is at the mercy of an odious arts conspiracy masterminded by the National Endowment for the Arts, Joan Mondale, the CIA, and the National Parks Service.

Unfortunately you can't quote any one line that summarizes *The Ministry of Culture*'s thesis, because most of the book's lines make no sense even *in* context, let alone out of it. But don't take my word for it. Pick the book up, and read the first chapter. It's only three pages. Yet in that tiny space, Mooney hints of suspicious "connections among" the National Bench Mark, the Pyramids, Bridgeport brass screws, Manifest Destiny, Vandalia (Illinois), "Henry Clay's continental political system," Rome (Italy), Holy Christians, the U.S. Chamber of Commerce, millenia yet to come, the "theology of economic necessities," the Lords of the Capital, schismatic dissent, the first transcontinental auto race, Dwight D. Eisenhower, "New York notions," 100 million miles of railroad track, Q clearance, the Marine Corps band, and my blue heaven. From these he draws with ineluctable, linear logic the conclusion that we are all in deep trouble because "in 1980 it was being said that the Promised Land had something to do with the Arts."

Mooney believes that the federal government, deliberately and in the dead of night, is using the arts to indoctrinate Americans with its evil totalitarian vision (and repressing artistic freedom in the process). The book leans heavily on allusions to George Orwell, calling Washington the "Empire" and businessmen "Corpo Power." As proof of Empire-Corpo collusion, Mooney extraordinarily exposes the fact that Joan Mondale had an "active, well-coordinated national cultural policy."

The book details, for instance, a film called *Understanding Congress*. The film's director petitioned the NEA for money. He was supported by congressmen who had been assured the film would flatter them, and was also in cahoots with the sinister National Parks Service. This is trumpeted as proof that arts funding is a vehicle for propaganda. But if you read the chapter intently (holding the book upside down helps), you notice the well-buried fact that the NEA ultimately rejected the project as politically motivated. Some conspiracy.

The author uncovered such chilling evidence by, he says, examining "90,000 pages of official materials" and "internal memoranda." No wonder, then, he was too busy to cross-check some rudimentary information known to all Washington residents. Mooney makes a big to-do about being asked to sign in at NEA headquarters, ominously implying an Empire-Corpo-Mondale plot to monitor art critics. Hey, Mike, they make you sign in at every federal building.

The case is so overstated, you wind up rooting for the NEA. And in that sense, Mooney lets them off the hook. There *is* a form

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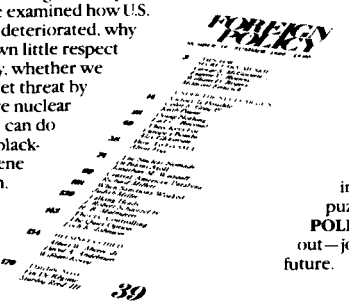

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of conspiracy in the arts, but it is in no way malicious. It is the chummy elitism of administrators who spend most of their time convincing each other they are an aristocratic class guarding all things true, and very little time fostering genuine creativity. The evidence of this is the embarrassing mediocrity of most government-financed projects—things like piano crates painted blue and titled "Man's Fate."

Most of the world's literature, dance, music and other expression is the product of poor, frightened artists working on their own time, and inspired by creative passion, not funding. "Artists" willing to spend their lives filling out forms and sucking up to bureaucrats are, by definition, the ones least likely to create anything of lasting originality or beauty. That is the great irony of *The Ministry of Culture*. It reads like something so contrived and uninspiring, only the NEA would want it.

—*Gregg Easterbrook*

Overshoot: The Ecological Basis of Revolutionary Change. *William R. Catton, Jr. Univ. of Illinois, $16.95.* An evangelical exhortation to abandon progress and be born again into ecology. After leading the congregation in a few hymns, Rev. Catton gets to the text of his sermon, which is that man has "overshot" (already surpassed) the capacity of the earth to support its population. Technological solutions are deceptive, temporarily increasing productive capacity but in the long run using up a progressively larger share of resources. (James Watt becomes a retrospective anti-Christ.) By using in a few centuries the fossil fuels that took millions of years to accumulate, we are drawing on the earth's savings, instead of generating income.

Not only that, but we are using the wrong words for all of this. Leaning heavily on language as a path to salvation, Catton provides an 11-page glossary of new words, like "cargoism," which somehow means "the delusion that technology will always save us," and "antimonian movements," meaning "groups of people who seek to change social conditions they deplore." The ability of academics to come up with new ways to keep us from understanding each other is one resource that, unfortunately, no one has been able to use up.

Catton commiserates with us sinners long enough to urge that we recognize our misperceptions of limitlessness, reject political promises, and exercise "ecological modesty." Then will we be saved, reverend? No, that will only mitigate the coming wars to be caused by overpopulation and unequal resource distribution.

As with most sermons, this one is likely to fall on deaf ears. It's a shame because Catton has some important things to say, but he says them with such piety, the sensible parts of his argument are dragged down. The congregation will nod contritely on Sunday, then go back to sinning for the rest of the week.

—*P.M.*

The Political Economy of Antitrust. *William Baxter. Lexington, $16.95.* Baxter sets out to discover "the political constituency" behind our antitrust laws. The nominees are: 1) Antitrust lawyers stirring up business; 2) antitrust bureaucrats grasping for power; 3) small businessmen scared of big businessmen; and 4) the public. Baxter is one of those scholars to whom truth can only be expressed in a regression coefficient, and he quickly concludes he can't conclude anything. A sharp reporter covering the Department of Justice might have told him that groups 1, 2, and 3 are each important. But Baxter's effort does provide a diversion for antitrust scholars seeking to avoid the only important question in their field, which is whether and when the laws actually benefit group 4.

Radio in the Television Age. *Peter Fortunale, Joshua E. Mills. Overlook Press, $12.95.*

Social Policies and Programs on Aging. *Louis Lowry. Lexington, $21.95.*

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